


FORM OF ORDER SHEET

Court of _____

Case No. _____/2023

S No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	30.11.2023	<p>In the first instance the appellant filed joint writ petition before the Hon'ble Peshawar High Court, the Hon'ble Peshawar High vide judgment dated 29.08.2023, transmitted the writ petition before this Tribunal for its decision in accordance with law. The joint writ petition was received to this office on 04.09.2023, service appeal no. 1771/2023 was allotted them and was fixed for preliminary hearing before Single Bench at Peshawar on 19.09.2023 and the counsel for the appellants seeks some time for filing separate appeals according to provisions of the Khyber Pakhtunkhwa Service Tribunal Act 1974 and appeal rules 1986. Learned counsel for the appellants was asked to do so within fortnight. Today i.e. on 30.11.2023 learned counsel for appellant submitted the separate appeals on proper format. Be fixed before Single Bench at Peshawar on</p>
		<p style="text-align: right;">  REGISTRAR </p>

The appeal of Mr. Liaqat Khan Inspector /SHO CTD Hazara Division A.Abad received today i.e on 14.11.2023 is incomplete on the following score which is returned to the counsel for the appellatant for completion and resubmission within 15 days.

Pages no. 33, 34, 38 to 46, 49 to 55, 66 to 69, 85 to 88, 92 & 93 of the appeal are illegible which be replaced legible/better one.

No. 3583 /S.T,

Dt: 15/11 /2023.



REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Junaind Anwar Khan Adv.
S.C of Pakistan at A.Abad.

See

objection removed and resubmitted



30/11/23

**BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR**

Service Appeal No. 2497 of 2023
Liaqat Khan.....APPELLANT

VERSUS

Government of Khyber through Chief
Secretary, KP Civil Secretariat, Peshawar etc.
.....RESPONDENTS

SERVICE APPEAL

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Dated 01.11.2023

Liaqat Khan, Inspector/
SHO, CTD, Hazara Division,
Abbottabad.
.....APPELLANT

Through
JUNAID ANWAR KHAN,
Advocate Supreme Court,
Of Pakistan.

**BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR**

Service Appeal No 2497 of 2023

Liaqat Khan, Inspector/SHO, CTD, Hazara
Division, Abbottabad.....APPELLANT

VERSUS

1. Government of Khyber through Chief Secretary, KP, Civil Secretariat, Peshawar.
2. Inspector General of Police, CPO Police Lines, Peshawar.
3. Regional Police Officer, Hazara Division, Abbottabad.
4. Commandant FRP, Peshawar.
5. Deputy Inspector General Headquarter, Abbottabad.RESPONDENTS.

**SERVICE APPEAL UNDER SECTION 4
OF KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL ACT, 1974 AGAINST THE
IMPUGNED LETTERS DATED 11.03.2023,
12.03.2023 AND OFFICE ORDERS OF
DEMOTION/ REVERSION DATED
14.03.2023 AND SUBSEQUENT PROCEEDINGS
OR ORDERS EMANATING/ARISING
THEREFROM.**

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PRAYER: -

On acceptance of the instant service appeal, the impugned letters dated 11.03.2023, 12.03.2023 and office orders of demotion dated 14.03.2023 and any subsequent orders emanating/ arising therefrom may please be set aside and the promotions orders of the appellants may please be restored or any other order or relief as this Honourable Tribunal deems fit and appropriate in the circumstances of the case, may also be issued/ passed.

Respectfully Sheweth!

1. That, the appellant is a law abiding citizen of Pakistan and has every legal and constitutional right duly protected under law of the land. It is worthy placing on record that since his appointment, he has not given a chance of even a minor complaint to their high ups and since the appellant is performing his duties with great zeal and zest.
2. That, the appellant initially joined the police department on 07.08.1991 as constable. Then after completion of all

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due training and courses, according to police rules, the appellant got promotion and the appellants is presently performing his duties in the rank of DSP/C.T.D Hazara and belong to FRP (Frontier Reserve Police), where there is no case of Gallantry, cadets, out of turn promotion etc, because each and every aspect of the FRP (Frontier Reserve Police), as per history given below, differs the case of appellant those who are hit by the judgment of Honourable Apex Court passed in out of turn promotion order cases.

(Copy of the initial appointment order, basic recruitment course and qualification AI examination and seniority list of appellant as DSP is annexed as annexure "A", "B", "C" & "D" respectively).

3. That, initially in the year 1998, the Home and Tribal Affairs Department created as Force Armed Reserve Police Force (ARF), which consisted of the following units.
 - i. Additional Police.
 - ii. Special Police Levy.

- 4
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- iii. PAF Contingent.
 - iv. Range Reserve Force.
 - v. Provincial Reserve Armed Platoons.
 - vi. Frontier Armed Reserve.
 - vii. Campus Peace Corps UOP.
 - viii. STF & ATS.
 - ix. Mounted Police.
 - x. Standing Guards & Police Escorts.

In para No.5 of the memo it was clarified as follows:

"Duties and responsibilities of the new set up will be the same as those of Regular Police elsewhere and service will be governed by the Police Rules or any other Rules applicable to their counterparts in Regular Police".

(Copies of the memo dated 16.01.1988 is annexed as annexure "E").

4. That, on 13.03.1988, a Standing Order No.2 of 1988 was issued, wherein the Campus Peace Corp and special police levy alongwith all arms, ammunition, transport etc. were placed under the

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administrative control of the
Commandant Frontier Armed Reserve
(FAR).

*(Copy of the Standing Order is annexed
as annexure "F").*

5. That, on 27.02.1991, the Frontier
Armed Reserve (FAR) was re-named as
Frontier Reserve Police (FRP), by the
then I.G KPK and since then this wing
of Police Force is continuing as FRP.

*(Copy of the IGP's order is annexed as
annexure "G").*

6. That, on 28.08.1993, a proper
Recruitment Policy was issued for the
recruitment against newly created
posts in the Police Department,
wherein the posts in a District was to
be dealt as "The newly created posts of
a District should be filled up from the
trained personals of FRP according to
seniority, educational qualifications
and domicile. The vacancies Resulting
from transfer of FRP Personnel to
District Police should be filled up
through fresh recruitment in FRP and
personnel selected for transfer to
District should be allocated to the
District of their domicile according to

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the number of vacancies available in each District”

(Copy of the Recruitment policy is annexed as annexure “H”).

7. That, to streamline the FRP further, a FRP Standing Order No.1 of 1994 was issued in the year 1994, wherein it was clarified that Police Act, 1861 and Police Rules, 1934 or any other Rules and Laws for the Police Officers will be applicable to FRP and the duties and responsibilities of the FRP will be same as that of Regular Police. Similarly, FRP Standing Order No.2 of 1994 was issued on 31.07.1994, whereby enrollment in FRP was further streamlined and quota for the training in the lower School, intermediate and Upper College was to be fixed by the IGP keeping in view the strength and to cover the promotion of the illiterate staff or failed in promotion lists, a FRP Standing Order No.3 of 1994 was issued in August, 1994. The Standing Order No.3 is not related to the appellant.

(Copies of the Standing Orders are annexed as annexure “I”).

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8. That, thereafter, on 19.06.1996, proper seats were allocated to the FRP Personals for the first time for the Lower, intermediate and Upper Courses and all the appellant on his due turn qualifies the said courses and none of them sent to the training by passing any senior eligible colleague.

(Copy of the seat allocation is annexed as annexure "J").

9. That, in the year 2007, a dispute was arisen whereby the FRP was again declared as Transit force and that no constable and head constable, can be admitted to D-list. Some of the colleagues of the appellant challenged that order before the Honourable Peshawar High Court in W.P No.1615/2007, 1616/2007 and 1617/2007. The Writ Petitions were finally heard on 20.03.2008 and the august Court was kind enough to hold that the FRP is not a transit Force and the appellant could not be made junior to the juniors by washing away their more than 15 years service in FRP and the case was remitted back to the police department to reconsider the

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matter so that no one be discriminated and deprived from legal rights.

10. That, after the judgment of the august court dated 20.03.2008, the matter of the FRP personnel was placed before the Committee on 14.05.2008 and the issue was further entrusted to another Committee comprised of DIG Investigation, AIG Legal and Registrar CPO. The said constituted committee considered the issue and submitted its recommendations to the DSC which was convened on 07.05.2009 and the recommendations fo the Committee was approved. The Committee recommended as, "The Earlier decision dated 16.02.2007 should not be applied retrospective and all officials of the FRP be given permanent status and may be confirmed in their rank with their colleagues after completing their probation period as per PR 13-18. The benefits received by the officials in the FRP till the decision of DPC and their repatriation to the District of their domicile be keep intact so that they should not be deprived of any right as per decision of the Court, Literate officials may be treated as per Police

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Rules, 1934 and their seniority be fixed in each list on the basis of course undergone and criteria fixed under Police Rules Chapter-13".

(Copies of the minutes of the DSC are annexed as annexure "K").

11. That, after the above decision of DSC, the issue was settled once and for all and the FRP officials (amongst appellant) upon repatriation to their District of Domicile, were placed in list D&E with their colleagues of training session in bottom in seniority. While some officials (amongst appellant) were remained posted in FRP and were placed in list A, B, C, D or E according to seniority. Thereafter, the appellant did his other courses on his turn with his colleagues and got further promotions upto the bank of Inspector and DSP on CPO level. It is once again reiterated that appellant has never got out of turn promotion, or cadet or promoted on Gallantry services basis in the FRP.
12. That, since it was brought into the knowledge of the appellant that respondents have issued circulars for

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reverting the rightful officials under the garb of the apex court's judgment, again which the appellant had no remedy but to come to the High Court, Peshawar while invoking under his writ jurisdiction vide Writ Petition, No.1124-P/2023 which got fixed for first hearing on 30.03.2023.

(Copy of the Writ Petition No.1124-P/2023 is annexed as annexure "L").

13. That, in the meantime, it has been brought into the knowledge of the appellant that respondents have proceeded and issued letters dated 11.03.2023 wherein it was directed that personal hearings be conducted on the very next date i.e. 12.03.2023 of all the concerned police officials in the Khyber Pakhtunkhwa Police Department (including the appellant) in a misguided attempt to usurp the rights of the appellant.

(Copy of the letter dated 11.03.2023 is annexed as annexure "M").

14. That, subsequently, without affording proper opportunity of hearing and on the basis of a sham, frivolous and fabricated hearings/proceedings

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conducted of police officials in the Khyber Pakhtunkhwa Police Department across the province in one day, the respondents issued letter No.993/Legal dated 12.03.2023 whereby it was legally directed that the demotion process of police officials in the Khyber Pakhtunkhwa Police Department be completed by issuing the requisite withdrawal letters/orders and to share copies of the said withdrawal letter and compliance report with the Police Headquarters on the very next date i.e. 13.03.203.

(Copy of the letter dated 12.03.2023 is annexed as annexure "N").

15. That, subsequent to the letter dated 12.03.2023, respondents under the garb of Apex Court's judgment and to give undue benefits to their blue eyed chaps have issued office orders dated 14.03.2023 whereby the appellant was illegally demoted to the ranks of SI which act on their part is highly illegal, unlawful, without lawful authority and thus of no legal effect.

(Copies of the office orders dated 14.03.2023 are annexed as annexure "O").

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16. That, it is worthy placing on record that other police officers who were also aggrieved of the same letter dated 11.03.2023, 12.03.2023 and office orders of demotion have filed different writ petition who have also been granted an interim relief by Honourable High Court, Peshawar vide order dated 30.03.2023 in W.P No.1587-P/2022.

17. That, the Writ Petition was listed before Honourable High Court and High Court recommended the case to this Honourable Tribunal for decision.

(Attested copy of the order is annexed as annexure "P").

18. That, the Honourable Tribunal ordered the appellant to file separate appeals hence the instant appeal.

19. That, the appellant being aggrieved of letter dated 11.03.2023, 12.03.2023 and office order of demotion dated 14.03.2023 and any subsequent proceedings or orders emanating or arising therefrom (hereinafter to be referred as "impugned proceedings" for facility of reference) are illegal, unlawful and without lawful authority

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hence the appellant being aggrieved from the impugned orders seeks the gracious indulgence of this Honourable Tribunal by way of instant service appeal, inter alia, on the following grounds: -

GROUNDS

- i. That, the impugned orders as well as proceedings initiated/taken upon by the respondents are wrong, illegal, against the law and facts, arbitrary, fanciful, perverse, against the relevant rules and regulations hence being not maintainable in the eyes of law, liable to be set aside.
- ii. That, the impugned orders amounts to colourful exercise of official collar by the respondents under the garb of the judgment of the apex court which are not applicable to the case of the appellant at all thus being illegal, unlawful, without lawful authority and thus of no legal effect.
- iii. That, it is an admitted fact that the appellant was duly appointed by the competent authority who has served

for the department for a sufficient long time hence the appellant was promoted in accordance with law, rules and regulations hence demoting the appellant from his legal right is not permissible under the law.

iv. That, the impugned orders as well as impugned proceedings are based on malafide and to create more and more vacancies for their blue eyed chaps under the garb of out of turn promotions etc. which conditions are not applicable to the appellant.

v. That, the impugned proceedings are arbitrary, whimsical, colorable and are full of malafide hence the same have no legal footings to stand upon.

vi. That, it is the cardinal principle of justice that no one could be asked to wait till he is illegally hanged, therefore, the jurisdiction of this Honourable Tribunal is fully attractive in the instant case and this august court has power to undo the illegal orders issued by the respondents.

vii. That, the appellant was placed in D list after repatriation to his District and placed with his colleagues who has

passed training courses alongwith them as per decision of DSC made on the basis of judgment of this Honourable High Court, Peshawar in the year 2007 thus, in FRP there was no case of out of turn promotion, or cadetship or gallantry service and due to that very reason, the judgment of the apex court is not applicable to the appellant.

viii. That, even the AIG legal, vide his memo dated 08.02.2021 held that FRP officials qualified their promotion courses on their turn and have been promoted from one rank to another as per Police Rules, 1934 and subsequently placed at the bottom of the seniority list of their District thus they do not come under the ambit of out of turn promotion. But despite that the respondents are maneuvering to revert the appellant under the garb of apex court's judgment with malafide to create more and more vacancies for their blue eyed chaps and to adjust them.

(Copy of the AIG Legal is annexed as annexure "Q").

- ix. That, the impugned proceedings are in violation of principles of justice, fair play and spirit of Articles 2A, 4, 9, 10A, 25 and 38 of the Constitution of Islamic Republic of Pakistan, hence the impugned orders being in violation of the fundamental rights of the appellant has no legal sanctity in the eyes of law.
- x. That, the appellant is being vexed again and again beside suffering double rather multiple jeopardies which is not warranted under the law and this fact also shows that the appellant has not been dealt in accordance with law the appellant has been deprived from their legal and vested rights in a sheer violation of the relevant law, rules and regulations.
- xi. That, it is inalienable right of the appellant to enjoy the protection of law and to be treated in accordance with law, rules and regulations but such right of the appellant is being infringed by the respondents in a sheer malafide manner.


.....PRAYER.....

It is, therefore, most humbly
prayed that on acceptance of the


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instant service appeal, the impugned letters dated 11.03.2023, 12.03.2023 and office orders of demotion/reversion dated 14.03.2023 and any subsequent orders emanating/arising therefrom may please be set aside and the promotions orders of the appellants may please be restored or any other order or relief as this Honourable Tribunal deems fit and appropriate in the circumstances of the case, may also be issued/passed.

Dated 01.11.2023


Liaqat Khan, Inspector/
SHO, CTD, Hazara Division,
Abbottabad....APPELLANT

Through


JUNAID ANWAR KHAN,
Advocate Supreme Court,
Of Pakistan.

AFFIDAVIT.

I, Liaqat Khan, Inspector/SHO, CTD, Hazara Division, Abbottabad, appellant, do hereby solemnly affirm and declare on oath that the contents of the foregoing service appeal are true and correct and nothing has been concealed from this Honourable Tribunal.

Dated 01.11.2023


Liaqat Khan
(DEPONENT)

18
—

**BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR**

Service Appeal No. _____ of 2023

Liaqat Khan.....APPELLANT

VERSUS

Government of Khyber through Chief
Secretary, KP Civil Secretariat, Peshawar etc.
.....RESPONDENTS

SERVICE APPEAL

**APPLICATION SEEKING TEMPORARY
INJUNCTION TO THE EFFECT THAT
THE OPERATION OF THE IMPUGNED
LETTERS DATED 11.03.2023, 12.03.2023
AND OFFICE ORDERS OF DEMOTION/
REVERSION DATED 14.03.2023 AND ANY
SUBSEQUENT ORDERS MAY PLEASE
BE SUSPENDED TILL THE DISPOSAL
OF THE TITLED SERVICE APPEAL.**

Respectfully Sheweth!

1. That, this application may please be considered as part and parcel of the titled service appeal.

- 2. That, the appellant has a prima facie case and there is every hope of its success.
- 3. That, the balance of convenience also tilts in favour of the appellant.
- 4. That, if the operation of the impugned letters/orders have not been suspended then, the appellant would suffer an irreparable loss and purpose of the titled service appeal would become infructuous.

.....PRAYER:.....

It is, therefore, most humbly requested that on acceptance of the instant application, operation of the impugned letters/orders may please be suspended till the disposal of the titled service appeal.

Dated 01.11.2023

Liaqat
 Liaqat Khan, Inspector/
 SHO, CTD, Hazara
 Division, Abbottabad.

.....APPELLANT

Through

Junaid Anwar Khan
JUNAID ANWAR KHAN,
 Advocate Supreme Court,
 Of Pakistan.

AFFIDAVIT.

I, Liaqat Khan, Inspector/SHO, CTD,
Hazara Division, Abbottabad,
appellant, do hereby solemnly affirm
and declare on oath that the contents
of the foregoing application are true
and correct and nothing has been
concealed from this Honourable
Tribunal.

Dated 01.11.2023



**Liaqat Khan
(DEPONENT)**

21
—

**BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR**

Service Appeal No. _____ of 2023

Liaqat Khan.....APPELLANT

VERSUS

Government of Khyber through, Chief
Secretary, KP Civil Secretariat, Peshawar etc.
.....RESPONDENTS

SERVICE APPEAL

CORRECT ADDRESSES OF THE PARTIES


APPELLANT

Liaqat Khan, Inspector/SHO, CTD, Hazara
Division, Abbottabad.

RESPONDENTS

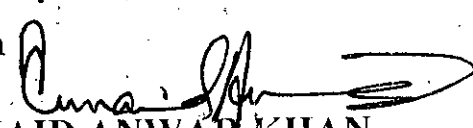
1. Government of Khyber through Chief Secretary, KP
Civil Secretariat, Peshawar.
2. Inspector General of Police, CPO Police Lines,
Peshawar.
3. Regional Police Officer, Hazara Division, Abbottabad.
4. Commandant FRP, Peshawar.
5. Deputy Inspector General Headquarter, Abbottabad.

Dated 01.11.2023


Liaqat Khan, Inspector/
SHO, CTD, Hazara Division,
Abbottabad.

.....APPELLANT

Through


JUNAID ANWAR KHAN,
Advocate Supreme Court,
Of Pakistan

21.
Annexure
A

2013 17 31 1977 A.D.

Mr. Jagat Khan s/o Khawaj Mohan
Caste .. Dalhan .. s/o .. Seva .. Police Station .. Kot
Dist. .. H. Pur .. Constable in FRP
B No. 700/- .. with effect from 7.8.91 .. Police No.
Allotted C. No.

He is employed on temporary basis and his service will be liable to be terminated any time under Sec. 12.21 during this period.

Deficiency contained in chest and 4 in

height vide D.I.O. of Police, Hazara Bazar, Abbottabad No. 2

dated .. 11.11.71
Height. 5-9 1/2 (2) Chest 34 1/2 x 36 1/2
(3) Education. 10th Pass (4) Date of Birth. 10.4.71

[Signature]
Sd/-
Constable of Police,
H. Pur

Printed
JIC.

Annexure
"B" 21-B

14 COMMENDATORY SERIES - contd.

ORDER

L.H.C. Liaqat Khan No. 1820 of P.R. Hazara Range is hereby promoted to the rank of Offg. Head Constable for the selection to the inter mediate course. He will draw the pay in his respective grade i.e. 5 and when vacancy of HC occurs he will be given regular promotion.

Vide Dy. Commandant P.R. Hazara Range order No. 2611-16/09 dated 27/5/2000
O.B. No. 164 dt. 28/4/2000

Supdt. of Police (F.R.P.)
Hazara Range, Abbottabad.

Selected for inter mediate school
course vide O.B. No. 184 DT: 12.5.2000
vide Commandant P.R. Hazara Range
order No. 2809-16/EC dated 8.5.2000

Supdt. of Police (F.R.P.)
Hazara Range, Abbottabad

Annexure
"C" 21-C

14. COMMENDATORY ENTRIES—contd.

Passed A.I Examination for
year 1996, vid Dy Commandant

P.T.C Hangu memo No. 945.51

Dated 28.2.96

OB No. 77
5.3.96

Ahmedabad
Supdt of Police, (F.R.P.)
Hazara Range, Ahmedabad.

Passed the B-I Examination
for the year 1998 vide comdt. P.T.C Hangu
memo, no. 1113/1 dated 10-3-98.

OB no. 102
dt. 17/03/98.

Ahmedabad
Supdt of Police, (F.R.P.)
Hazara Range, Ahmedabad.

Passed the lower school course
vid. Commandant P.T.C Hangu

andst: No 5974-6012/15 dated 27-10-98 and

Office OB No 482
10.11.98

Ahmedabad
Supdt: of Police, (F.R.P.)
Hazara Range, Ahmedabad.

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ANNEXURE
"D"

OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
Central Police Office, Peshawar

REVISED SENIORITY LIST OF DSSP BS-17 OF KHYBER PAKHTUNKHWA POLICE

Dated: 28 / 06 / 2022

No. 1355 / SE-I, The Revised Seniority List of DSSP BS-17 of Khyber Pakhtunkhwa Police is hereby published for information to all concerned

Sr. No	Name of Officers	Date of Birth	Domicile	Date of SI Promotion	Date of confirmation as SI as per Police Rules 13.18	D.O Promotion as DSP
1.	Mr. Qaid Kamal	01.01.1963	Charsadda	01.01.1994	01.01.1996	07.11.2012
2.	Mr. Muhammad Aleem Jan	11.04.1967	Peshawar	30.01.1996	30.01.1998	24.01.2014
3.	Mr. Aamir Shahzad	09.08.1968	Peshawar	30.01.1996	30.01.1998	30.06.2011
4.	Mr. Muhammad Arif	10.03.1969	Peshawar	30.01.1996	30.01.1998	19.03.2012
5.	Mr. Waqar Ahmad	03.01.1968	Nowshera	01.04.1997	01.04.1999	19.03.2012
6.	Mr. Muhammad Shafiq	13.01.1963	Bannu	01.10.1997	01.10.1999	19.03.2012
7.	Mr. Muhammad Arif	22.04.1964	Bannu	01.10.1997	01.10.1999	07.11.2012
8.	Mr. Gul Naseeb	09.11.1968	Bannu	01.10.1997	01.10.1999	19.03.2012
9.	Mr. Sanaullah	10.01.1969	Lakki	01.10.1997	01.10.1999	19.03.2012
10.	Mr. Amir Muhammad Khan	07.01.1970	Buner	14.10.1997	14.10.1999	24.08.2020
11.	Mr. Ali Hassan	06.03.1965	K Agency	28.01.1998	28.01.2000	30.06.2011
12.	Mr. Mukhtiar Ahmad	04.02.1959	Abbottabad	20.02.1998	20.02.2000	07.11.2012
13.	Mr. Munir Hussain	30.05.1966	Mansehra	15.04.1998	15.04.2000	19.03.2012
14.	Mr. Tahir ur Rahman	28.02.1959	Haripur	20.06.1998	20.06.2000	30.06.2011
15.	Mr. Muhammad Suleman	28.07.1970	Mansehra	20.06.1998	20.06.2000	20.01.2011
16.	Mr. Janas Khan	15.02.1965	Abbottabad	20.06.1998	20.06.2000	25.03.2013
17.	Mr. Zulfqar Khan Jadoon	15.06.1963	Abbottabad	26.05.1987	20.06.2000	24.10.2014
18.	Mr. Asad Mehmood	08.03.1968	Swabi	26.04.2000	07.09.2003	20.01.2011
19.	Mr. Asif Gohar	07.08.1964	Mansehra	26.04.2000	26.04.2002	25.03.2013
20.	Mr. Tahir Iqbal	20.01.1969	Haripur	26.04.2000	26.04.2002	25.03.2013

ATTESTED
[Signature]

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Sr. No	Name of Officers	Date of Birth	Domicile	Date of SI Promotion	Date of confirmation as SI as per Police Rules 13.18	D.O Promotion as DSP
21	Mr. Khabir Muhammad	01.01.1972	Abbottabad	26.04.2000	26.04.2002	12.09.2014
22	Mr. Zahid-ur-Rehman	25.03.1970	Haripur	26.04.2000	26.04.2002	08.04.2016
23	Mr. Qamar Hayat	08.04.1971	Haripur	26.04.2000	26.04.2002	07.11.2012
24	Mr. Ijaz Ahmad	05.04.1963	Mansehra	26.04.2000	26.04.2002	12.09.2014
25	Mr. Arshad Mehmood	15.08.1964	Mansehra	26.04.2000	26.04.2002	12.09.2014
26	Muhammad Javed	03.06.1963	Mansehra	26.04.2000	26.04.2002	27.10.2015
27	Mr. Falak Niaz	01.04.1965	Swabi	02.05.2000	02.05.2002	07.11.2012
28	Mr. Tajamul Khan	30.09.1965	Swabi	03.07.2000	33.07.2002	24.01.2014
29	Mr. Tariq Habib	06.09.1968	Peshawar	20.09.2000	20.09.2002	31.03.2012
30	Mr. Nisar Ahmad	02.11.1973	Charsadda	20.09.2000	20.09.2002	31.03.2012
31	Mr. Tariq Iqbal	13.04.1974	Peshawar	20.09.2000	20.09.2002	31.03.2012
32	Mr. Aslam Nawaz	01.03.1972	Bannu	20.09.2000	20.09.2002	07.11.2012
33	Mr. Ishtiaq Ahmad	01.11.1971	Lakki	20.09.2000	29.01.2003	19.07.2013
34	Mr. Saleem Aman Ullah	23.03.1970	Peshawar	29.01.2001	01.06.2003	25.03.2013
35	Mr. Abdur Rashid Marwat	30.03.1963	Lakki	01.06.2001	02.06.2003	25.03.2016
36	Mr. Iftikhar Shah	30.04.1966	Mardan	02.06.2001	31.07.2003	31.03.2012
37	Mr. Noor Jamal	10.01.1966	Mardan	31.07.2001	31.07.2003	24.01.2014
38	Syed Mukhtiar Shah	18.10.1967	Haripur	17.11.2001	17.11.2003	07.11.2012
39	Mr. Navil Ahmad	02.02.1970	Abbottabad	17.11.2001	17.11.2003	07.11.2012
40	Mr. Saeed Akhtar	02.02.1971	Haripur	17.11.2001	17.11.2003	24.01.2014
41	Mr. Niaz Gul	07.03.1971	Abbottabad	17.11.2001	17.11.2003	24.01.2014
42	Mr. Muhammad Ishtiaq	04.05.1973	Mansehra	17.11.2001	17.11.2003	02.04.2015
43	Mr. Muhammad Maroof	05.10.1974	Abbottabad	17.11.2001	17.11.2003	07.11.2012
44	Mr. Muhammad Ayaz	03.03.1975	Abbottabad	17.11.2001	17.11.2003	07.11.2012
45	Muhammad Jamil Akhtar	22.02.1977	Haripur	17.11.2001	17.11.2003	07.11.2012
46	Mr. Salah-ud-Din	15.01.1970	Tank	23.11.2001	23.11.2003	07.11.2012
47	Mr. Tauheed Khan	20.10.1963	Dikhan	23.11.2001	23.11.2003	19.03.2012
48	Mr. Niaz Muhammad	11.02.1971	Swabi	29.11.2001	29.11.2003	25.03.2013
49	Mr. Hameed Ullah	25.04.1974	Mardan	01.12.2001	01.12.2003	24.01.2014
50	Mr. Sajjad Ahmad	01.04.1968	Swabi	01.12.2001	01.12.2003	25.03.2015
51	Mr. Shah Hassan	01.05.1968	Mardan	01.12.2001	01.12.2003	08.04.2013
52	Mr. Nazir Khan	18.10.1970	Mardan	01.12.2001	01.12.2003	19.07.2013

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Sr. No	Name of Officers	Date of Birth	Domicile	Date of SI Promotion	Date of confirmation as SI as per Police Rules 13.18	D.O Promotion as DSP
53.	Sahibzada Sajjad Ahmad	02.02.1971	Swabi	01.12.2001	01.12.2003	08.04.2013
54.	Mi. Muzamil Shah	08.03.1972	Swabi	01.12.2001	01.12.2003	25.03.2013
55.	Mr. Mushtaq Ahmad	15.03.1970	Swabi	01.12.2001	01.12.2003	25.03.2013
56.	Mr. Shaukat Ali	05.03.1971	Swabi	01.12.2001	01.12.2003	24.01.2014
57.	Mr. Abdul Samad	14.04.1969	Swabi	01.12.2001	01.12.2003	07.11.2012
58.	Mr. Muhammad Khalid	01.01.1970	Chitral	01.12.2001	13.12.2003	19.07.2013
59.	Mr. Shafiullah	01.04.1971	Dikhan	24.01.2002	24.01.2004	24.01.2014
60.	Mr. Abdul Hai Khan	01.08.1972	D.I.Khan	24.01.2002	24.01.2004	02.01.2014
61.	Syed Inayat Ali Shah	10.01.1972	D.I.Khan	24.01.2002	24.01.2004	30.01.2018
62.	Mr. Zia Hassan	01.11.1974	Dikhan	25.01.2002	14.10.2004	30.01.2018
63.	Mr. Nasir Khan	20.12.1972	Peshawar	14.10.2002	17.10.2004	12.09.2014
64.	Mr. Rahim Hussain	11.05.1970	Shangla	17.10.2002	17.10.2004	12.09.2014
65.	Mr. Amjad Hussain	24.03.1971	Mansehra	30.09.2000	30.09.2002	02.04.2015
66.	Mr. Murad Ali	09.01.1973	Bannu	13.01.2003	13.01.2005	02.04.2015
67.	Mr. Ali Gohar	23.03.1968	K Agency	13.01.2003	13.01.2005	30.09.2016
68.	Mr. Habib Ur Rehman	04.03.1966	Mansehra	20.02.2003	20.02.2005	02.04.2015
69.	Mr. Waqar Ahmad	12.04.1974	Charsadda	01.05.2003	01.05.2005	25.03.2016
70.	Mr. Abdus Salam Khalid	24.06.1976	Lakki	01.05.2003	01.05.2005	02.04.2015
71.	Mr. Sajjad Hussain	23.03.1976	Nowshera	23.06.2003	23.06.2005	24.01.2014
72.	Muhammad Tahir Shah	01.03.1972	Bannu	24.07.2003	24.07.2005	02.04.2015
73.	Mr. Safdar Khan	30.04.1971	Kohat	28.08.2003	29.08.2005	25.03.2016
74.	Mr. Hidayat Ullah Shah	20.04.1965	Swabi	20.12.2003	20.12.2005	12.09.2014
75.	Mr. Shakeel Ahmad	14.04.1969	Charsadda	20.12.2003	20.12.2005	12.09.2014
76.	Mr. Khan Khel	10.04.1969	Mardan	20.12.2003	20.12.2005	24.01.2014
77.	Mr. Muhammad Saeed	04.05.1969	Mardan	20.12.2003	20.12.2005	12.09.2014
78.	Mr. Rasheed Iqbal	15.01.1974	Mardan	20.12.2003	20.12.2005	25.03.2016
79.	Mr. Muhammad Fayaz	07.03.1974	Mardan	20.12.2003	20.12.2005	25.03.2016
80.	Ms. Aneela Naz	09.10.1971	Peshawar	01.01.2004	01.01.2006	02.04.2015
81.	Ms. Asmat Ara	15.04.1975	Swabi	01.01.2004	01.01.2006	02.04.2015
82.	Mrs. Shazia Shahid	30.04.1976	Charsadda	01.01.2004	01.01.2006	02.04.2015
83.	Mr. Mujeeb Ur Rehman	02.04.1969	Bannu	08.04.2004	08.04.2006	02.04.2015

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Sr. No	Name of Officers	Date of Birth	Domicile	Date of SI Promotion	Date of confirmation as SI as per Police Rules 13-18	D.O Promotion as DSP
84.	Mr. Nisar Muhammad	20.01.1973	Lakki	17.04.2004	17.04.2006	24.01.2014
85.	Mr. Rahmal Ullah	05.03.1971	Nowshera	31.05.2004	31.05.2006	24.10.2014
86.	Mr. Mustafa Kamal Pasha	01.09.1969	Bannu	07.10.2004	07.10.2006	02.04.2015
87.	Mr. Azmat Ali Khan	06.01.1970	Bannu	07.10.2004	07.10.2006	02.04.2015
88.	Mr. Shabir Hussain Shah	15.06.1972	Lakki	07.10.2004	07.10.2006	18.08.2015
89.	Arbab Shafiullah Jan	09.10.1966	Peshawar	22.11.2004	22.11.2006	02.01.2014
90.	Mr. Rafjullah	12.03.1968	Peshawar	22.11.2004	22.11.2006	02.01.2014
91.	Muhammad Aliq Shah	01.09.1976	Charsadda	22.11.2004	22.11.2006	06.02.2014
92.	Mr. Yasir Amah	11.08.1970	Peshawar	22.11.2004	22.11.2006	02.04.2015
93.	Mr. Naseer Ali	03.10.1975	Charsadda	22.11.2004	22.11.2006	02.04.2015
94.	Mr. Murad Ali	13.04.1965	Charsadda	22.11.2004	22.11.2006	30.09.2016
95.	Mr. Aurang Zeb	05.01.1970	Mansehra	04.12.2004	04.12.2006	15.11.2016
96.	Mr. Sajjad Haider	20.04.1970	Abbotabad	04.12.2004	04.12.2006	30.09.2016
97.	Mr. Muhammad Ilyas	01.04.1973	Mardan	07.12.2004	07.12.2006	15.11.2016
98.	Mr. Arshad Khan	30.05.1974	Peshawar	08.12.2004	08.12.2006	30.09.2016
99.	Ms. Nazia Naureen	01.12.1970	Abbotabad	09.12.2004	09.12.2006	15.11.2016
100.	Mrs. Shahzadi Meshad	10.04.1972	Hangu	09.12.2004	09.12.2006	30.09.2016
101.	Mr. Ajanzeb	12.02.1980	Mardan	23.12.2004	23.12.2006	30.09.2016
102.	Mr. Aqiq Hussain	01.04.1965	Kohat	10.01.2005	10.01.2007	15.11.2016
103.	Mr. Falak Nawaz	03.02.1969	Kohat	10.01.2005	10.01.2007	15.11.2016
104.	Mr. Mazhar Jehan	12.12.1970	Kohat	10.01.2005	10.01.2007	15.11.2016
105.	Mr. Khalid Usman	06.01.1967	Karak	10.01.2005	10.01.2007	15.11.2016
106.	Mr. Asad Zubair	15.01.1980	Kohat	10.01.2005	10.01.2007	15.11.2016
107.	Mr. Muhammad Riaz	13.08.1973	Karak	10.01.2005	10.01.2007	15.11.2016
108.	Mr. Zafar Khan	10.01.1963	Buner	16.04.2005	16.04.2007	15.11.2016
109.	Mrs. Rozia Ailaf	30.07.1969	Peshawar	13.05.2005	13.05.2007	15.11.2016
110.	Ms. Hamida Bano	04.12.1970	Peshawar	13.05.2005	13.05.2007	15.11.2016
111.	Mr. Muhammad Ismail	12.01.1966	Lakki	07.06.2005	07.06.2007	15.11.2016
112.	Mr. Mehmood Nawaz	07.03.1974	Lakki	02.07.2005	02.07.2007	15.11.2016
113.	Mr. Muhammad Sattar Khan	04.04.1964	Chitral	13.07.2005	13.07.2007	15.11.2016

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Sr. No	Name of Officers	Date of Birth	Domicile	Date of SI Promotion	Date of confirmation as SI as per Police Rules 13.18	D.O Promotion as DSP
114.	Mr. Muhammad Zaman	01.01.1965	Buner	13.07.2005	13.07.2007	25.03.2016
115.	Mr. Riaz Muhammad	10.12.1962	Swabi	13.07.2005	13.07.2007	15.11.2016
116.	Mr. Riwan Halib	19.04.1974	Mansehra	28.12.2005	28.12.2007	12.09.2014
117.	Mr. Jehangir Khan	10.11.1965	Abbottabad	28.12.2005	28.12.2007	24.10.2014
118.	Mr. Shah Mumtaz	20.02.1965	Dir Lower	27.05.2006	27.05.2008	30.01.2018
119.	Mr. Affoor Ahmed	01.01.1980	Dir Lower	27.05.2006	27.05.2008	24.08.2020
120.	Mr. Zafar Ahmad	10.01.1979	Chitral	27.05.2006	27.05.2008	30.01.2018
121.	Mr. Farmanullah	27.10.1978	Dir Lower	27.05.2006	27.05.2008	30.01.2018
122.	Mr. Wahid Ullah	01.04.1981	Dir Lower	27.05.2006	27.05.2008	24.08.2020
123.	Mr. Iftikhar Ali Shah	11.05.1976	Bannu	25.08.2006	25.08.2008	15.11.2016
124.	Mr. Amir Hussain	25.05.1965	Swabi	07.11.2006	07.11.2008	30.09.2016
125.	Mr. Sher Afsar	09.02.1963	Swabi	23.11.2006	23.11.2008	29.11.2018
126.	Mr. Muhammad Raul	04.04.1963	Mardan	23.11.2006	23.11.2008	25.03.2016
127.	Mr. Rokhan Zeb	07.04.1965	Swabi	18.04.2007	18.04.2009	25.03.2016
128.	Mr. Janzada	01.04.1963	Charsadda	16.07.2007	16.07.2009	25.03.2016
129.	Mr. Zahid Khan	08.04.1967	Mkd. Agency	20.10.2007	20.10.2009	29.11.2018
130.	Mr. Dadshah Hazrat	15.02.1969	Dir Lower	20.10.2007	20.10.2009	29.11.2018
131.	Mr. Naveed Iqbal	13.03.1981	Swat	20.10.2007	20.10.2009	16.05.2019
132.	Mr. Naveed Iqbal	15.05.1982	Mkd. Agency	20.10.2007	20.10.2009	24.08.2020
133.	Mr. Ajmal Khan	01.11.1981	Chitral	20.10.2007	20.10.2009	30.01.2018
134.	Mr. Aliq-ur-Rehman	27.03.1973	D.I. Khan	03.11.2007	03.11.2009	29.11.2018
135.	Mr. Shahid Adnan	01.03.1969	D.I. Khan	03.11.2007	04.11.2009	30.01.2018
136.	Mr. Muhammad Saleem Tariq	01.06.1980	Charsadda	04.11.2007	24.11.2009	07.03.2017
137.	Mr. Gul Shid Khan	03.03.1971	Charsadda	24.11.2007	19.12.2009	30.09.2016
138.	Mr. Shaheen Shah Gohar	15.11.1974	Peshawar	19.12.2007	19.12.2009	30.09.2016
139.	Mr. Cohar Ali	03.02.1975	Peshawar	19.12.2007	19.12.2009	30.09.2016
140.	Mr. Riaz Khan	12.01.1971	Malakand	19.12.2007	14.03.2010	30.09.2016
141.	Mr. Fazal Wahid	24.04.1969	Swabi	26.03.2008	26.03.2010	30.09.2016
142.	Mr. Amjid Ali	06.03.1966	Mardan	03.04.2008	03.04.2010	15.11.2016
143.	Mr. Sher Rehman	05.04.1964	Mardan	03.04.2008	03.04.2010	15.11.2016

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Sr. No	Name of Officers	Date of Birth	Domicile	Date of SI Promotion	Date of confirmation as SI as per Police Rules 13.18	D.O Promotion as DSP
144.	Mr. Jamil-ur-Rehman	16.04.1974	Abbottabad	07.01.2002	08.04.2010	12.03.2018
145.	Mr. Muhammad Iqbal	11.02.1963	Mansehra	08.04.2008	08.04.2010	16.05.2019
146.	Mr. Shah Nawaz	06.06.1967	Mansehra	08.04.2008	08.04.2010	24.08.2020
147.	Mr. Muhammad Khurshid	12.01.1963	Mansehra	08.04.2008	08.04.2010	07.03.2017
148.	Mr. Muhammad Altaf	12.03.1969	Haripur	08.04.2008	08.04.2010	30.09.2016
149.	Mr. Fazal Wahid	01.12.1968	Mardan	19.04.2008	19.04.2010	29.11.2018
150.	Mr. Mahmood Khan	16.02.1970	Mardan	21.04.2008	21.04.2010	30.01.2018
151.	Mr. Muhammad Saddique	16.11.1968	Abbottabad	21.04.2008	21.04.2010	30.01.2018
152.	Mr. Faqir Hussain	02.02.1967	Peshawar	21.04.2008	21.04.2010	29.11.2018
153.	Mr. Naseer Khan	01.04.1963	Charsadda	21.04.2008	21.04.2010	15.11.2016
154.	Mr. Hukam Khan	14.03.1969	Charsadda	21.04.2008	21.04.2010	30.01.2018
155.	Mr. Arab Nawaz	11.02.1969	Charsadda	21.04.2008	21.04.2010	30.01.2018
156.	Mr. Arab Nawaz	01.01.1969	Nowshera	21.04.2008	21.04.2010	30.01.2018
157.	Mr. Mehar Ali	05.11.1963	Mardan	21.04.2008	21.04.2010	30.01.2018
158.	Mr. Yar Nawab	10.02.1968	Charsadda	21.04.2008	21.04.2010	30.01.2018
159.	Mr. Iftikhar Ali	22.11.1968	Charsadda	21.04.2008	21.04.2010	30.01.2018
160.	Mr. Nasir Khan	05.01.1964	Charsadda	21.04.2008	21.04.2010	16.05.2019
161.	Mr. Hazrat Ullah	16.03.1966	Charsadda	21.04.2008	21.04.2010	18.02.2022
162.	Mr. Fazal Qasbi	24.10.1963	Peshawar	21.04.2008	21.04.2010	30.01.2019
163.	Mr. Abduliah Jan	08.04.1964	Charsadda	21.04.2008	21.04.2010	30.01.2018
164.	Mr. Liaqat Ali	01.05.1970	Charsadda	21.04.2008	21.04.2010	18.02.2022
165.	Mr. Tayyab Jan	25.04.1975	Bannu	04.07.2008	04.07.2010	16.05.2019
166.	Mr. Asif Mehmood	01.02.1968	Mkd. Agency	05.08.2008	05.08.2010	30.01.2018
167.	Mr. Ghulam Sadiq	16.02.1964	Mardan	26.08.2008	26.08.2010	30.01.2018
168.	Mr. Roshan Zeb	02.05.1968	Nowshera	26.08.2008	26.08.2010	15.11.2016
169.	Mr. Fazal Subhan	01.09.1977	Charsadda	26.08.2008	26.08.2010	15.11.2016
170.	Mr. Muhammad Ijaz Khan	30.03.1975	Charsadda	10.09.2008	10.09.2010	15.11.2016
171.	Mr. Muhammad Yaseen	20.05.1970	Abbottabad	19.09.2008	19.09.2010	07.03.2017
172.	Mr. Ibrar Khan	28.12.1973	Haripur	19.09.2008	19.09.2010	14.03.2017
173.	Mr. Muhammad Yaseen	10.05.1968	Mansehra	19.09.2008	19.09.2010	
173.	Mr. Iftikhar Ahmad					

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Sr. No	Name of Officers	Date of Birth	Domicile	Date of SI Promotion	Date of confirmation as SI as per Police Rules 13.18	D.O Promotion as DSP
174.	Mr. Farhad Ali	16.11.1962	Mardan	19.09.2008	19.09.2010	16.05.2019
175.	Mr. Zakir Hussain	09.03.1966	Abbottabad	19.09.2008	19.09.2010	30.01.2018
176.	Mr. Azam Ali Shah	01.01.1963	Abbottabad	19.09.2008	19.09.2010	16.05.2019
177.	Mrs. Samina Zafar	25.12.1975	Haripur	19.09.2008	19.09.2010	07.03.2017
178.	Mr. Mehboob	16.12.1955	Abbottabad	19.09.2008	19.09.2010	07.03.2017
179.	Mr. Muhammad Hamayun	01.04.1963	Abbottabad	19.09.2008	19.09.2010	30.01.2018
180.	Mr. Ghulam Muhammad	01.11.1963	Mansehra	19.09.2008	19.09.2010	30.01.2018
181.	Mr. Zahoor-Ud- Din Khan	05.05.1963	D.I.Khan	19.09.2008	19.09.2010	15.11.2016
182.	Mr. Muhammad Nabi	09.10.1966	Charsadda	30.12.2008	30.12.2010	30.01.2018
183.	Mr. Ayaz Mehmood	20.02.1971	Mardan	30.12.2008	30.12.2010	30.01.2018
184.	Mr. Shakeel Ahmed	01.01.1974	Peshawar	29.01.2009	28.07.2011	16.05.2019
185.	Mr. Hussain Ghulam	10.03.1970	Hangu	28.07.2009	28.07.2011	18.02.2022
186.	Mr. Muhammad Akbar	14.05.1963	Mardan	11.08.2009	11.08.2011	18.02.2022
187.	Mr. Zareef Khan	01.01.1959	Swabi	11.08.2009	11.08.2011	30.01.2018
188.	Mr. Bashir Dad	14.04.1972	Mardan	28.08.2009	28.08.2011	15.05.2019
189.	Mr. Archad Hussain	15.05.1967	Shangla	28.08.2009	28.08.2011	24.08.2020
190.	Mr. Malleeb Khan	13.04.1970	Haripur	28.08.2009	28.08.2011	30.09.2016
191.	Mr. Shah Nawaz	08.08.1965	Mansehra	28.08.2009	28.08.2011	24.08.2020
192.	Mr. Fazal Wahab	15.01.1965	Mardan	28.08.2009	28.08.2011	24.08.2020
193.	Mr. Jehanzeb Khan	30.11.1966	Abbottabad	28.08.2009	28.08.2011	18.02.2022
194.	Mr. Muhammad Amin	06.09.1962	Abbottabad	28.08.2009	28.08.2011	19.04.2022
195.	Mr. Muhammad Sohail	30.04.1967	Mansehra	28.08.2009	28.08.2011	24.08.2020
196.	Mr. Muhammad Yousai	24.08.1964	Haripur	13.10.2009	13.10.2011	24.08.2020
197.	Mr. Muhammad Sajjad	24.03.1969	Mansehra	13.10.2009	13.10.2011	24.08.2020
198.	Mr. Fida Muhammad	11.12.1964	Abbottabad	13.10.2009	13.10.2011	30.01.2018
199.	Mr. Alam Zeb	10.11.1963	Mardan	18.11.2009	18.11.2011	30.01.2018
200.	Mr. Saeed Khan	15.04.1964	Peshawar	18.11.2009	18.11.2011	16.05.2019
201.	Mr. Muhammad Ishaq	21.12.1968	Nowshera	18.11.2009	18.11.2011	30.01.2018
202.	Mr. Pasham Gul	29.04.1963	Mardan	18.11.2009	18.11.2011	18.02.2022
203.	Mr. Nasrullah Khan	20.04.1968	Peshawar	18.11.2009	18.11.2011	18.02.2022

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Sr. No	Name of Officers	Date of Birth	Domicile	Date of SI Promotion	Date of confirmation as SI as per Police Rules 13-18	D.O Promotion as DSP
204.	Mr. Janan Habib	16.05.1964	Charsadda	18.11.2009	18.11.2011	24.08.2020
205.	Mr. Amir Nawaz	20.03.1970	Charsadda	18.11.2009	18.11.2011	29.11.2018
206.	Mr. Amir Zaman	01.09.1989	Mardan	18.11.2009	18.11.2011	29.11.2018
207.	Mr. Rajab Ali	09.02.1975	Kohat	18.11.2009	18.11.2011	24.08.2020
208.	Mr. Noor Ullah	10.05.1964	Peshawar	18.11.2009	18.11.2011	30.01.2018
209.	Mr. Mukhtiar Ahmad	03.12.1954	Charsadda	18.11.2009	18.11.2011	30.01.2018
210.	Mr. Muhammad Iqbal	01.08.1970	Karak	12.07.1997	12.07.1999	16.05.2019
211.	Mr. Arshad Ahmed	06.01.1982	Nowshera	01.01.2010	01.01.2012	24.08.2020
212.	Mr. Muhammad Kamran	12.02.1981	Malakand	01.01.2010	01.01.2012	18.02.2022
213.	Mr. Sajid Mumtaz	27.12.1979	Charsadda	01.01.2010	01.01.2012	18.02.2022
214.	Mr. Fida Hussain	21.01.1983	Peshawar	01.01.2010	01.01.2012	18.02.2022
215.	Mr. Ijaz Ali	10.04.1983	Charsadda	01.01.2010	01.01.2012	18.02.2022
216.	Mr. Ijaz Ali	01.10.1965	Nowshera	01.01.2010	01.01.2012	24.08.2020
217.	Mr. Zaka Ullah	20.02.1968	Mkd Agency	01.01.2010	01.01.2012	24.08.2020
218.	Mr. Ali Khan	03.05.1968	Charsadda	01.01.2010	01.01.2012	29.11.2018
219.	Mr. Abdur Rashid	02.01.1969	Nowshera	01.01.2010	01.01.2012	29.11.2018
220.	Mr. Khalid Khan	14.09.1973	Charsadda	01.01.2010	01.01.2012	29.11.2018
221.	Mr. Niaz Muhammad	08.04.1982	Charsadda	01.01.2010	01.01.2012	18.02.2022
222.	Mr. Tauheed Ullah	08.04.1982	Charsadda	01.01.2010	01.01.2012	18.02.2022
223.	Mr. Ijaz Ali	14.05.1978	Charsadda	01.01.2010	01.01.2012	18.02.2022
224.	Mr. Adnan Azam	16.06.1994	Charsadda	01.01.2010	01.01.2012	18.02.2022
225.	Mr. Zahid Akbar	15.07.1987	Peshawar	01.01.2010	01.01.2012	18.02.2022
226.	Mr. Rehmat Ullah	07.03.1988	Peshawar	01.01.2010	01.01.2012	18.02.2022
227.	Mr. Taj Muhammad Khan	13.02.1972	Nowshera	01.01.2010	01.01.2012	18.02.2022
228.	Mr. Muhammad Inam Jan	15.03.1976	Mardan	20.03.2010	20.03.2012	18.02.2022
229.	Mr. Muhammad Inam Jan	15.03.1976	Mardan	20.03.2010	20.03.2012	18.02.2022
230.	Mr. Luqman Khan	15.01.1980	Mardan	20.03.2010	20.03.2012	18.02.2022
231.	Mr. Wajid Khan	14.01.1965	Mardan	20.03.2010	20.03.2012	18.02.2022
232.	Pir Zar Badshah	25.05.1972	Mkd Agy	20.03.2010	20.03.2012	18.02.2022
233.	Mr. Muhammad Fazil	03.12.1978	Swabi	20.03.2010	20.03.2012	18.02.2022
234.	Mr. Imliaz Ali	03.01.1977	Mardan	20.03.2010	20.03.2012	18.02.2022
235.	Mr. Sabir Gul	04.03.1984	Mardan	20.03.2010	20.03.2012	18.02.2022

ACCEPTED
APPROPRIATE

DATE: 19/09/2023 TAYYAB ANVS GOVT OF PGS113 USB,1

(8)

30

Sr. No	Name of Officers	Date of Birth	Domicile	Date of SI Promotion	Date of confirmation as SI as per Police Rules 13.18	D.O Promotion as DSP
234.	Mr. Azmat Ali	01.04.1978	Kohat	11.07.2010	11.07.2012	18.02.2022
235.	Mr. Sadat Khan	06.04.1983	Kohat	24.08.2010	24.08.2012	18.02.2022
236.	Mr. Fazal Hanif	01.01.1974	Karak	24.08.2010	24.08.2012	18.02.2022
237.	Mr. Nazar Hussain	10.01.1975	Hangu	24.08.2010	24.10.2012	18.02.2022
238.	Mr. Muhammad Yousaf	10.04.1975	Karak	24.08.2010	24.08.2012	18.02.2022
239.	Mr. Nazir Khan	02.04.1977	Kohat	24.08.2010	24.08.2012	18.02.2022
240.	Mr. Abid Khan	01.03.1979	Kohat	24.08.2010	24.08.2012	18.02.2022
241.	Mr. Umar Hayat	01.02.1984	Karak	24.08.2010	24.08.2012	18.02.2022

NOTE:- Any officer who has any objection regarding his seniority/missing of name/date of birth etc, he must submit his representation within 15 Days after the issuance of this list, otherwise no representation will be entertained after the specific period.

(DR. ZAHID ULLAH) ^{PSP} 9
 AIG/Establishment
 For Inspector General of Police,
 Khyber Pakhtunkhwa,
 Peshawar

~~ATTESTED~~
~~RESPONSIBLE~~

Endst: No. & date even.
 Copy to all concerned

Annexure 31
"E"

BETTER COPY

GOVERNMENT OF NWFP
HOME & TRIBAL AFFAIRS
DEPARTMENT
DATED PESHAWR THE 16.1.1988

ORDER

No. SO/P-III/HD/S-10/1987-149. Sanction of the Govt. of NWFP is hereby accorded to the raising of Armed Reserve Police Force in NWFP comprising the following units of NWFP Police.

1. Additional Police.
2. Special Police levy.
3. PAF contingent.
4. Range Reserve Platoons.
5. Provincial Reserve Armed Platoons.
6. Frontier Armed Reserve.
7. Campus Peace Corps, Peshawar University.
8. STF & AJS.
9. Mounted Police.
10. Standing Guards and Police Escorts etc etc, including those provided to private bodies/persons.

As a result of the said re-organization, sanction is accorded to the creation of the following posts with effect from 1.1.87 at a total cost of Rs. 2989170/- as detailed below:-

6-222-000-total Estn: Charges		2653650/-
6-22-10-total Basic Salary		1823760/-
6-222-11-Basic Pay of officers		339680/-
One DIG (Commandant) (BPS-19)		33040/-
Five Supds. of Police (BPS-18)		108400/-
Twelve DSSP (BPS-17)		198240/-
6-222-112-pay of other staff		1484080/-
19 inspectors (BPS-11)		167200/-
611 Sub-inspectors (BPS-11)		436800/-
71 IICs (BPS-11)		369200/-
One office Supdt. (BPS-16)		10800/-
One stenographer (BPS-15)		9320/-
Five steno typist (BPS-12)		38800/-
12 Assistants (BPS-11)		87360/-
15 Senior Clerks (BPS-7)		90000/-
24 Junior Clerks (BPS-5)		134400/-
Five Patharies (BPS-2)		25000/-
12 N/Qs (BPS-1)		57600/-
12 Bahistules (BPS-1)		57600/-
6-222-020-total regular allowances		789090/-
022-House Rent Allowance		547330/-
027-washing allowance		14300/-
028-Dress allowance		2300/-
029-Ration allowance		130360/-
029-medical allowance		94800/-
6-222-030-total other allowances		40800/-
034-Medical charges		1800/-
036-fit fit allowances		24000/-
039-other allowances		15000/-
6-222-500-total commodities and services		335520/-
511-T.A. (others)		335520/-
Total		2989170/-

Sanction of the Govt. of NWFP is also accorded to the up-gradation of 1020 posts of special Police levy from Basic pay scale 01 to Basic pay scale 02 as constables with effect from 1.10.1987.

The Govt. of NWFP is further pleased to abolish the posts of 7 ASIs and 279 Constables with effect from 1.10.1987 to neutralize the total cost of 255 costs created as above. The details of posts abolished are given in Annex-A.

The location of the staff created is shown in Annex-B. The duties and responsibilities of the new set up will be the same as those of regular Police elsewhere and services will be governed by the Police Rules or any other rules applicable to their counter parts in regular Police.

The expenditure involved is debitable to the function 6-222-provincial Police (Police proper and shall be met out of the existing budget grant for the current financial year 1987-88).

A token grant of Rs.10 is sanctioned to meet the incurrence of above expenditure during the current financial year 1987-88. The different conditions imposed and other instructions issued by finance Deptt. in connection with the implementation of the above scheme will be adhered to strictly.

Sd/
HOME SECRETARY GOVT OF NWFP
HOME AND TRIBAL AFFAIRS DEPTT.

ATTESTED

[Signature]

32

GOVERNMENT OF N.W.F.P.
Home and TRIBAL AFFAIRS
DEPARTMENT.

DAED PESHAWAR THE 16. 1.1988

ORDER

NO.80(P.II)HD/8-10/146-147. Sanction of the Govt. of NWFP is hereby accorded to the raising of Armed Reserve Police force in NWFP comprising the following units of N.W.F.P Police.

1. Additional Police.
2. Special Police Levy.
3. F.A.F. Contingent.
4. Range Reserve Platoons.
5. Provincial Armed Reserve Platoons
6. Frontier Armed Reserve
7. Campus Peace Corps Peshawar University.
8. Special Task Force and Anti-Terrorist Squad.
9. Mounted Police.
10. Standing Guards and Police Escorts etc; etc including those provided a private bodies/ persons.

2. As a result of the said re-organization, sanction is accorded to the creation of the following posts with effect from 1.10.87, at a total cost of Rs.29,69,170/- as detailed below:-

6-222-000-Total Estt:Charges		26,53,650/-
6-222-010-Total Basic Salary.		18,23,760/-
6-222-011-Basic Pay of Officers		3,39,680/-
One DIG (Commandant) (BPS-19)		33,040/-
5 Five Supdt: of Police (BPS-18)		1,08,400/-
12 Twelve DSPs (BPS-17)		1,98,240/-
6-222-012-Pay of Other staff		14,84,020/-
19 Nineteen Inspectors (BPS-14)		1,67,200/-
60 Sixty Sub Inspectors (BPS-11)		4,35,800/-
Seventy one Head Constables (BPS-3)		3,59,200/-
One Office Supdt (BPS-16)		10,800/-
One Stenographer (BPS-15)		9,520/-
Five Steno Typists (BPS-12)		38,500/-
Twelve Assistants (BPS-11)		67,360/-
Fifteen Sr. Clerks (BPS-7)		90,000/-
Twenty four Jr. Clerks (BPS-5)		1,34,400/-
Five Dafferies (BPS-2)		25,000/-
Twelve Haib Qasids (BPS-4)		57,600/-
Twelve Bahaktiars (BPS-4)		57,500/-
6-222-020-Total Regular Allowances.		7,53,090/-
022-House Rent Allowance		5,47,530/-
027-Washing Allowance.		14,300/-
028-Dress Allowance.		2,300/-
029-Ration Allowance.		1,30,560/-
029-Medical allowance		34,500/-
6-222-030-Total other Allowances		40,800/-
034-Medical charges		1,800/-
036-Out fit allowance		000/-
039-Other Allowances.		1,000/-
6-222-500-Total Commodities and Services.		3,35,520/-
511-TA(Others)		3,35,520/-
TOTAL		29,69,170/-

3. Sanction of the Govt. of NWFP is also accorded to the Up-gradation of 1020 posts of Special Police Levy from Basic Pay Scale 2 to Basic Pay Scale 2 as Constables with effect from 1.10.1987.

Contd.....(2) r

ATTESTED
~~Signature~~



(2)
4. The Govt. of NWFP is further pleased to abolish the posts of 7 ASIs and 279 Constables with effect from 1.10.1987 to neutralize the addl cost of 255 posts created as above. The details of posts abolished are given in Annexure-A.

5. The location of the staff created are shown in Annexure-B. The duties and responsibilities of the new set up will be the same as those of Regular Police elsewhere and its services will be governed by the Police Rules or any other Rules applicable to their counter-parts in regular Police.

6. The expenditure involved is debatable to the Function 6-422- Provincial Police (Police Proper) and shall be met out of the existing budget grant for the current financial year 1987-88.

7. A token grant of Rs. 10/- is sanctioned to regularize the incurrence of above expenditure during the current financial year 1987-88. The different conditions imposed and other instructions issued by Finance Deptt. in connection with the implementation of the above scheme will be adhered to strictly.

HOME SECRETARY GOVERNMENT OF NWFP ROMA AND T.S. DEPTT.

Dated Peshawar the 16.1.1988

NO.7/12-B.III/PD/

Copy forwarded for information and necessary action

- to:-
- 1. The Accountant General NWFP Peshawar.
- 2. All Districts Accounts Officer in NWFP.

MALIK SHOUKAT HUSSAIN
BUDGET OFFICER-III
FINANCE DEPTT.

NO.SO(P.II)HD./8-10/146-14C

Dated Peshawar the 16.1./1.

Copy of above is forwarded for information and necessary action to:-

- 1. The Inspector General, of Police, NWFP Peshawar.
- 2. The Budget Officer-III Govt. of NWFP Finance Deptt; Peshawar.
- 3. The Dy:Secretary Regulation-I Govt. of NWFP Finance Deptt; Peshawar.
- 4. The Section Officer (Police-I) Govt. of NWFP Roma and T.S Deptt; Pe.

M. J. CHAFOOQ
SECTION OFFICER (POLICE-II)
HOME DEPARTMENT.

ATTESTED
ADVOCATE

34
Annexure
"F"

STANDING ORDER NO.2

As a second step towards the Re-Organization of Frontier Armed Reserve, the following strength alongwith the equipments, like arms and Ammunition and Transport etc, etc shall stand with-drawn from the offices noted against each placed under the administration of Commandant, Frontier Arms Reserve N.W.F.P. Peshawar with immediate effect:-

S.NO.	NAME OF FORCE.	SP	DSP	INSP	SIS	ASIS	HOS	CONST	JAM	HAV	SEP	DRAWING AND DISBURSING OFFICER.
1.	Campus Peace Corps.	1	1	3	11	5	51	290	-	-	-	Director Campus Peace Corps Peshawar.
2.	Special Police Levy.	-	-	-	-	-	-	-	50	50	780	SsP, DIL, Bahawal Kohat & Kayak

The case regarding transfer of proportionate pay and declaration of Deputy Commandant, F.A.R. as Drawing and Disbursing Officer of the above staff will be decided in due course.

Sd/- (MOHAMMAD ABBAS KHAN)
Inspector General of Police, NWFP,
Peshawar.

No 2603. 52 /A-5, dated Peshawar the 13.3. /1988
Copy of above is forwarded for information and necessary action to:-

1. All Heads of Police Offices, in N.W.F.P.
2. All Branch Superintendents, in CPO, Peshawar.
3. Registrar, CPO, Peshawar.
4. Assistant Secret, CPO, Peshawar.
5. District Accounts Officers, Kohat, D. I. Khan, Bannu & Kasur.

(ISRAR MOHAMMAD KHAN)
DIG/HQRS:
For Inspector General of Police,
N.W.F.P. Peshawar.

~~ATTESTED~~
~~AUTHENTICATE~~

F.R.P STANDING ORDER NO. 2

RECRUITMENT AND TRAINING.

RECRUITMENT.

All enrolment in the FRP shall be carried out under chapter-XII of Punjab Police Rules as amended vide notification No.3663-51/A-II, dated 5.3.1988 and No. 27654-89/A-II, dated 26.12.1988 and other instructions issued by the competent authority. The SP/FRP of the Range shall carry out recruitment against vacancies. Recruitment in HQ Platoons shall be carried out by the Commandant or his nominee. It shall be ensured that all the districts are represented in the HQ platoons in accordance with their population figures of the last census.

It shall be ensured that at no given time the percentage of non-matriculatos (including follower constables) exceeds 15 per cent of the total strength of the F.R.P.

TRAINING.

To maintain uniformity in training of FRP personnel and district Police, the syllabi approved for regular Police recruits shall be followed. However, the IGP may prescribe additional courses for FRP according to the nature of their duties besides those mentioned in Police Rules, 1954 and Police Training College, Haziq manual.

The IGP shall fix the quota of seats for lower, Inter & Upper courses in accordance with the strength of FRP and by the same formula that is applicable to the District Police Ranges.

~~ATTESTED~~
~~ADVOCATE~~

36

(2)

The Commandant, FRP shall then allocate these seats to the respective FRP Range / HQ according to the strength of lower & Upper subordinates in that Range/ HQ .

M. S.
(S. MASUD SHAH)
INSPECTOR GENERAL OF POLICE,
NWFP PESHAWAR.

.....
OFFICE OF THE COMMANDANT F.R.P NWFP PESHAWAR.

No. *5693-5223* /GC dated Peshawar, the. *31* /1994.

Copy of above is forwarded to all Heads of Police, Offices in NWFP, for information and necessary action.

M. M.
(MALIK MAVEED KHAN)
DIG
COMMANDANT F.R.P NWFP PESHAWAR.

Office of the Insp. General
Dist. No *LO2-1*
Dist. *3-8-P4*
of F.R.P. HQ PESHAWAR

~~ATTESTED~~
~~SIGNATURE~~

37

F.R.P STANDING ORDER NO. 3

PROMOTIONS.

In view of the nature of the duties assigned to the FRP, those officials who are illiterate or have failed to qualify the promotion lists shall be promoted the rate of 25 per cent of the posts of HOs, ASIs & minimum qualification for promotion to rank of HO shall be:-

- a) Qualified section commander's course.
 - b) Physical fitness according to Police R 12-16 (1).
 - c) Character roll clear of entry carrying moral stigma.
 - d) Preference shall be given to candidate who have qualified drill course.
- Minimum qualification for PGs(SI/ASI) shall be:-

- a) Service as Section Commander- 3 years.
- b) Platoon Commander course passed.
- c) Physical fitness according to Police Rules 12.16.

3. The Commandant, FRP may constitute a member- GOs committee to assess the performance of Platoon commanders(SI/ASI) and HO (Section Commanders) on completion of their tenure. The committee may recommend candidates for reversion or promotion to the rank of SI/ASI/HO in the FRP. These will include drill staff and drop outs from A-I, B-I, lower and Intermediate courses.

ATTESTED
ADVOGATE

(2)

However, the following factors shall be taken into consideration while granting extensions.

- a) Retirement of the incumbent in the same rank.
- b) Length of service of the next incumbent.
- c) Status of next senior incumbent as he may be deprived of promotion due to granting of extension.

Chapter 15 of Police Rules, 1934 read with Section 10 and 11 of 1987 shall govern the system of promotion and maintenance of promotion lists. However, those constables who have not passed the lower school certificate in Police training college, Manu but are otherwise considered suitable by the approval of Commissioner, MP may be promoted. Head Constable upto a maximum of 10 per cent of the same posts. In this connection the following shall be criteria for promotion :-

- a) Physical fitness according to Police Rule 12716(i).
- b) Qualified in drill instructor course.
- c) Qualified in section commander course.
- d) Character roll clear of entry carrying moral stigma.
- e) Qualified Gas Course.

Office of the Dy. Superintendant
 District No. 1024
 Dated 3-8-74
 Police B.A. No. 1024

(Sd/-)
 INSPECTOR GENERAL OF POLICE,
 MP

Office of the Commissioner, Manu

ATTESTED
 ADVOCATE

Annexure 39
"G"

CIRCULAR ORDER

The Inspector General of Police, N.W.F.P. has pleased to order the re-naming of Frontier Armed Reserve to Frontier Reserve Police (F.R.P) with immediate effect.

BYED MASUD SHAH
INSPECTOR GENERAL OF POLICE
PESHAWAR.

NO. 3850-3950/E-II, dated Peshawar, the 27.2.1991.

Copy of above is forwarded for information and necessary action to:-

1. The Chief Secretary, Government of NWFP, Peshawar.
2. The Secretary to Chief Minister, NWFP.
3. The Secretary Governor NWFP.
4. The Secretary to Govt: of NWFP (S&GAD).
5. The Secretary to Govt: of NWFP, Home and TAs Deptt.
6. The Commandant, Frontier Reserve Police, NWFP, Pesh.
- 7.-15 All Dy:Inspectors General of Police, in NWFP.
16. The Accountant General NWFP, Peshawar.
17. All Asstt:Inspectors General of Police, in NWFP.
18. All Intt: Accounts Officers, in NWFP.
19. All Supts: of Police, PAR, in NWFP.
20. The Director, Campus Peace Corps, University, Dera.
21. The Asstt:Commandant, RTO Sarai-Naurang.
22. The Asstt:Commandant, PAR Sub HQRS Nowshera.
23. DSP I/IC RTO, Kohat.
24. Supt: 'O' Branch CPO.
25. Supt: 'A' Branch CPO.
26. Supt: 'E' Branch, CPO.

Attested
(Signature)

Sd/-
SRAR MOHAMMAD. KHAN
DIG HQRS
FOR INSPECTOR GENERAL OF POLICE
PESHAWAR.

ATTESTED
ADVOCATE

10
Annexure
H

COPY.

Subject:- RECRUITMENT POLICY FOR NEWLY CREATED POSTS
IN POLICE.

On recommendation of a special committee constituted for the purpose, the Inspector General of Police, FWP, has approved the following general policy for recruitment of constables against the newly created post for the various Distt./Units with effect from 1.7.1995 (Annexure A)

2. POST IN DISTRICT.

The newly created posts of Districts should be filled up from the trained personnel of FWP according to seniority educational qualification/domicile.

ii. Vacancies resulting from transfer of FWP personnel to District Police should be filled up through fresh recruitment in FWP.

iii. Personnel selected for transfer to District should be allocated to the districts of their domicile/according to the number of vacancies available in each Districts.

3. TELECOMMUNICATIONS

Since telecommunication requires technical staff the AIG(Tele) will conduct recruitment of personnel against vacancies sanctioned for his Unit. However four(4) personnel of telecommunication at present attached to FWP for the purpose of pay will be absorbed against these vacancies.

4. TRAFFIC POLICE.

Since no traffic course qualified officials are available in FWP, seniority cum physical and educational standard required for traffic police will apply.

Distribution of posts sanctioned for traffic Police B-Const(4-40) will be as under:-

	HC	F.C.
i. Peshawar		6.
ii. Kohat	-	6.
iii. Bannu	-	6.
iv. Dera Iskan	-	6.
v. Mardan	1	5.
vi. Abbottabad	1	5.
vii. Balakand	1	5.

5. CRIMINAL BRANCH/CIU.

The vacancies against the newly sanctioned posts for these branches should be filled up from Peshawar Distt. for lieu purpose. Peshawar Distt. should be given person

ATTESTED
[Signature]

41

... (III) ...

Sd/-
(SIKANDER HUSSAIN)
DIG/H/1983
Deputy Inspector General of Police
Peshawar

No. 14715-22 / Dated Peshawar the 24/10/1983
Copy forwarded to -

1. The Dy:Inspector General of Police, Urine Branch Peshawar.
2. The Commandant, DTP HNSP Peshawar.
3. The Asst:Inspector General of Police, Telecommunication Peshawar.
4. The Asst:Inspector General of Police, CID, HNSP Peshawar.
5. The Asst:Inspector General of Police, Traffic, HNSP, Peshawar.
6. The Supt: of Police, Mardan.
7. The Supt: of Police, Dirhan.
8. The Supt: of Police, Laski.
9. The Dy:Inspector General of Police, Peshawar Range Peshawar.
10. The Asst: Supt: of Police, Peshawar.

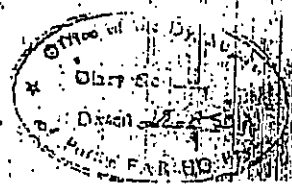
Sd/-
(SIKANDER HUSSAIN)
DIG/H/1983
Deputy Inspector General of Police
Peshawar

NO. 524-32 / 1983, Dated Peshawar the 24/10/1983
Copy of above is forwarded for information
and n/action to that:-

1. All Heads of Police W/O in H.S.
2. Dy: Supt: of Police PAF Hqrs: Peshawar.
3. Asst: Commandant WAF Sub-Hqrs: Peshawar.
4. Asst: Comm: The H.S. & Cons: to be sent for the purpose of
not to be sent to all tele.
5. All H.S. Hqrs: Peshawar.

DSP
hm

(SIKANDER HUSSAIN)
DIG/H/1983
Deputy Inspector General of Police
Peshawar
2/18



ATTESTED
ADVOCATE

42

Annexure
"I"

F.R.P. STANDING ORDER NO. 1

ORGANIZATION, ROLE, DUTIES & RESPONSIBILITIES.

DEFINITION.

All terms and definitions used in Police Act, 1861 and Police Rules, 1934 or any other rules and laws of the land for Police officers posted to specialized cadres, branches of Police, will mutatis mutandi apply to the members of Frontier Reserve Police.

(a) COMMANDANT.

He will be an officer of the rank of Deputy Inspector General of Police, appointed by the Government as COMMANDANT of the Frontier Reserve Police.

(b) DEPUTY COMMANDANT.

He will be a Police Officer not below the rank of Supdt. of Police and will assist the COMMANDANT in the discharge of his duties and responsibilities.

(c) ASSISTANT COMMANDANT.

Includes Police Officer not below the rank of ASP/DSP. He will assist the COMMANDANT, Deputy Commandant and Supdt. of Police, FRP in the discharge of their duties.

(d) F.R.P. RANGE.

FRP Range includes all the districts in a particular Range or Ranges as specified by the I.G.P.

(e) MEMBERS OF F.R.P.

Include Police Officers who are posted to or enrolled in the FRP. They also include GOs serving in the F.R.P.

(f) REGULAR POLICE.

Includes officers posted to District Police, Special Branch, Crimes Branch, Traffic Police and CID and any other unit which may be added henceforth.

ATTESTED
~~ADJUTANT~~

(2)

(g) F.R.P TRAINING CENTRES.

Include the premises or buildings notified by the IGP as Training Centres/ Schools.

2. The entire strength of the FRP will be grouped as under :-

- a) Active duty personnel (Regular Platoons)
- b) Administrative Platoons.
- c) Ministerial Staff.

Active duty personnel.

The entire active duty personnel will be organized into platoons and sections. A platoon shall consist of 1-4-40 (SI/ASI-1, ECs-4 & Constables - 40). The 40 constables shall include five to seven constables as well. A section shall be composed of one EC and ten active duty personnel.

Three platoons shall be commanded by one Inspector and he will be designated as Company Commander. Applicability of Rules.

According to notification No. 50(Police-II) HD/8-10/146 49, dated 16.1.1958 from Govt. of W.P.P., Home & T.As Deptt., the duties & responsibilities of this force will be the same as those of regular Police elsewhere and its services will be governed by Police Rules, 1934 or any other rules applicable to their counterparts in regular Police.

Duties & Responsibilities.

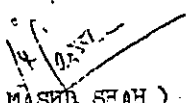
The duties & responsibilities of the FRP shall be to assist the regular Police in the performance of the following duties:-

ATTESTED
APPROVED

44

(3)

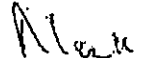
- a) Anti Riot Operations.
- b) Operation against Criminal /POs.
- c) Security of WVIPs/ VIPs.
- d) Any other duties assigned by the IGP.


 (S. MASOOD SHAH)
 INSPECTOR GENERAL OF POLICE,
 NWFP PESHAWAR.

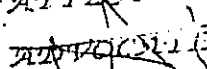
OFFICE OF THE COMMANDANT F.R.P NWFP PESHAWAR.

No. 5606-46 /90 dated Peshawar, the 28-7 /1994.

Copy of above is forwarded to all
 Heads of Police, offices in NWFP, for information and
 necessary action.


 (MALIK NAVEED KHAN)
 DIG
 COMMANDANT F.R.P NWFP PESHAWAR.

Office of the Dy. Super
 Distt No 2026
 Dated 3-8-94
 Police P. & W. NWFP

ATTESTED


Annexure
"J" 45

2413:631086

From: The Commandant,
Police Training College Hangu.

To: 1. The All D.I.s.G in N.W.F.P.
2. The Commandant, FRP, NWFP, Peshawar.
3. The All Districts Superintendent of Police,
in N.W.F.P.
4. The Director G.P.C University Camps Peshawar.

NO 3271-3300 / Dated Hangu, the 19/6/1996.

Subject: ALLOTMENT OF SEATS IN VARIOUS COURSES
MEMORANDUM

Please refer to this office Memo No. 1996-2077
dated 19.5.1996.

The allotment of seats in the various courses to P.T.C Hangu has been tabulated vide Rule No. 1 (ii) (iii) and (iv) of the P.T.C. Manual. No criteria whatsoever had been laid down for such allotment, and the PTC authorities have made the below yard stick for allocation of seats in the Lower, Intermediate and Upper School Courses.

1. Lower School Course 1/20th of the sanctioned strength of R.C. of the Ranges.
2. Intermediate Course 1/20th of the sanctioned strength of ASIs of the Ranges.
3. Upper School Course 1/20th of the sanctioned strength of S.I.s of the Ranges.

Based upon the above formula sufficient seats had been allocated to all Ranges. But certain Ranges, ICP, CPC Organisation etc were frequently making correspondence of their officials turning overage. As such this Institution on account of construction of new Academic Block, reviewed the matter and the seats in various courses has been increased as below, duly approved by the ICP/NWFP, Peshawar:-

S/No.	Range/Units	Lower Course	Inter. Course	Upper Course
1.	Peshawar	37	24	9
2.	Mardan	11	12	2
3.	Kohat	11	7	5
4.	Bannu	11	12	1
5.	D.I. Khan	3	4	1
6.	Melakand	30	16	7
7.	Hazore	16	9	4

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S/No.	Range/Units	Lower Course	Inter Course	Upper Course
8.	PTC/RTW	6	3	1
9.	F.R.P	2	2	1
10.	C.P.O.	2	3	1
11.	Asst Kashmir	4	1	1
12.	Other Province	2	20	6
Total:-		16	112	26

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Annexure
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14/05/2008

MINUTES OF DEPARTMENTAL SELECTION COMMITTEE HELD ON 14.05.2008
IN THE CONFERENCE ROOM OF CPO, PESHAWAR.

A meeting of Departmental Selection Committee was held on 14.05.2008 at CPO Conference

Room: The following officers attended the meeting.

- | | | |
|---|--|----------|
| 1 | Mr. Khurshid Alam Khan
Addl: Inspector General of Police
HQs. NWFP, Peshawar. | CHAIRMAN |
| | Mr. Fiaz Ahmad Khan,
Addl: IGP/Invest. - I NWFP,
Peshawar. | Member |
| 3 | Mr. Faqir Hussain,
Deputy Inspector General of Police
Investigation Peshawar. | Member |
| 4 | Mr. Abdul Wadoor Shah
Commandant (FC)
Haangal | Member |
| 5 | Mr. Attaullah Wazir
Capital City Police Officer,
Peshawar. | Member |
| 6 | Mr. Amir Hamza Mahsud
Deputy Inspector General of Police,
Special Branch NWFP, Peshawar. | Member |

The following miscellaneous cases were discussed in the DPC meeting and recommendation made regarding each case:

Seniority case of
Inspector's now DSP
Khurshid Ahmad &
Surfaraz Tareen of
Hazara Region

Vide No. 19615-A/GB dated 18.12.2007 DPO Manshera has submitted representation for restoration of correct seniority in the seniority list over which the W/PPO NWFP Peshawar directed AIG/Legal CPO, Peshawar to please examine and offer comments and made the remarks that if seniority has been restored to other officer who were not recommended initially, while the petitioner has been left and not given seniority. Is not discrimination? AIG/Legal submitted the following note:-

"Relevant record in the light of points raised by petitioner Muhammad Khurshid, DSP/SDPO Oghi, District Manshera, was checked. It revealed that Petitioner alongwith 11 other colleagues was appointed as ASI during the year 1975. According to seniority list of SIs of Hazara Region as it stood on 31.12.92 issued vide DIG/Hazara notification No. 5358/E dated 29.06.93, the name of Petitioner Muhammad Khurshid exits at Serial No. 19 above the name of all his colleagues mentioned in the representation.

During the year 1984 recommendation in respect of suitable officers for admission to list "F" were asked by the CPO vide signal No. 1055-60, dated 21.01.84. At that time the Petitioner was serving in District Manshera. Out of 12 SIs only one SI Naseem Afzal of District Abbottabad was recommended for promotion list "F" by the DIG/Hazara vide letter No. 8684/E, dated 08.07.84 on the basis of recommendations received from the District concerned.

The case of Naseem Afzal was discussed in the meeting of DPC and he was brought on promotion list "F" vide Notification No. 23685, dated 30.12.1984

On the recommendation Roll i.e. Form 13.15 of Khurshid Khan which is on his record, the DIG/Hazara has mentioned that due to adverse remarks in his ACR for the year 1984 he is not recommended for list "F" and he was also kept under observation for a period of 6 months.

Petitioner Khurshid Ahmad Inspector submitted numerous applications, which were considered and rejected. Besides discussion of his case in DPC meeting on 23.02.2000, his case was again discussed in the DPC on 16.3.2002 but was referred to the DIG/Hazara for comments. On receipt of comments, the case was again placed before the DPC in its meeting held on 12.5.2004 but his claim was rejected on the grounds that he was not recommended by DIG/Hazara in the year 1984. This decision of the DPC was conveyed to the petitioner vide letter No.

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10008/E-II dated 05.05.2004.

Another representation of Inspector Sarfraz Tareen through his mother was also received from the C.M. Secretariat NWFP, with the following remarks of the Chief Minister NWFP:

I.G (P)

"Please look in a personally and ensure that seniority list of the Police Department is free from controversies."

In this representation it is stated that the competent authority had allowed a revised seniority vide notification No. 3917-73/E-II, dated 26.02.1996 by placing his name below the name of Inspector Muhammad Ullas but this decision of the competent authority has not been implemented so far. He has also preferred an appeal to the NWFP Service Tribunal which is still subjudice.

Cases of both officers were thoroughly examined by the DSC and it is recommended that as their clearness have repeatedly been rejected by the DPC hence they should get remedy from the Court as it is time hured now.

Seniority ease of Inspector Muhammad Iqbal of DIKhan Regt.

SI Muhammad Iqbal while posted as MMPI DIKhan was reverted as SI to his substantive rank by the DIG/DIKhan duly approved by the PPO on complaint of corruption. Departmental Enquiry was initiated against him but he was exonerated from the charges levelled against him. Therefore, he submitted application for promotion as Offg. Inspector. The case was referred to the DPC and the DPC recommended that as his ACR is adverse, therefore, his name may also be removed from list F. He preferred an appeal in the Service Tribunal NWFP Peshawar which was accepted in his favour. The Deptt. went for filing appeal in the Apex Supreme Court of Pakistan through Advocate General, but the Advocate General reported that the case is not fit for appeal, hence the decision of the Service Tribunal was implemented. He represented for promotion as Offg. Inspector. His case was again placed before the DPC. The DPC thoroughly examined his case and recommended that the Advocate General may be addressed through Home Department for comments to intimate reasons for not filing of appeal so that instruction are issued to all concerned.

In pursuance of the decision of the DPC vide Memo No. 17188/E-I dated: 25.07.2005 section Office (Judicial) Govt. of NWFP Home & T.As Deptt. Peshawar was accordingly addressed.

The Section Officer litigation, Govt. of NWFP Law Parliamentary Affairs & Human Rights Department Peshawar vide his letter No. LIA/D/1-9 (180)/Home/2006/17901-02 dated 09.08.2007 has submitted copy of letter of Advocate General NWFP Peshawar letter No. 7415-16/AG dated: 05.10.2006 stating that the learned A.O.R and Mr. Khushdil Khan Addl. Advocate General have examined the case and both have found it unfit. Detail comments furnished by the Law officer were also sent with the letter.

An Office note was put up to the high ups and Addl. IG/PHQRs ordered it to be examined by DPC. The DPC thoroughly examined his case and recommended him for promotion subject to good ACR for the year 2006.

ACR for the year 2006 received and put up before the high ups and the Addl. IG/PHQRs NWFP approved his promotion. His promotion order was issued vide this office Notification No. 22685-88/E-II dated: 02.10.2007.

Now the District Police Officer DIKhan vide his Memo No. 2639 dated: 09.10.2007 has submitted his representation requesting for placing his name at proper place according to due seniority.

His representation was referred to DSC. DSC thoroughly examined the case and recommends that his name may be placed at his original place in the seniority list of Inspectors.

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Seniority case of Inspe. tor Murad Ali of Mardān Region

The DIG/Mardān Region-I, vide his Memo No. 5797/ES dated: 10.10.2007 has submitted an application requesting for granting seniority into promotion list "F".

From Para -1. to 5 the applicant has given his particulars, while in Para 6 of his application he stated that his colleagues Abdul Qayum has jumped in the seniority list and has been placed at S/No. 52, while the applicant has been placed at S/No. 103 of the seniority list of Inspector issued by CPO vide No. 2406/E-II dated: 14.02.2007.

The Service particulars of Inspector Abdul Qayum, and representationist are as under:-

S/No	Name	Date of Appointment	Date of Conf: as SI	Date of Adm. to list "F"	Date of Prom: as Offg: Inspector	Date of Conf: as Inspector
1.	Insp: Abdul Qayum	10.04.77	22.07.90	02.11.96	27.05.99	16.07.2005
2.	Inspector Murad Ali	14.12.73	01.11.95	19.09.97	23.06.2001	16.07.2005

An office note was put up to high ups, whereupon Addl: IGP/HQRs NWFP Peshwar ordered to refer it to the DSC.

DSC thoroughly examined and found the claim of petitioner unjustified.

Commandant PTC Hangu submitted representation of Inspector Legal Altaf Hussain requesting for correction of his seniority into promotion list "F" after the name of Inspector Legal Hidayat Shah at S.No. 21 of seniority issued vide No. 649/61/E-II dated: 10.01.2008.

The case was put up to high ups upon which Addl: IGP/HQRs ordered to refer it to DSC.

The DSC examined and found that in this connection a case is subjudice in the Supreme Court therefore it may be kept pending till the decision of court.

Seniority case of Inspector Legal Altaf Hussain of DIKhan Region

Confirmation case of Inspector Aamir Shahzad of CCP Peshwar

Inspector Aamir Shahzad of CCP/Peshwar has submitted an application stating that due to his illness he was on Ex-Pakistan Leave. For confirmation as Inspector 2 years probation period is required. He has completed 22 months period lacking just 2 months in the period.

He requested to consider his case in DPC and he may be confirmed as Inspector.

An office note was put up to high ups and the worthy Addl: IGP/HQRs NWFP ordered it to be examined by the DSC.

DSC examined his case and recommends his name for confirmation as Offg: Inspector with his colleagues.

Seniority case of Inspector Hidayatullah of DIKhan Region

DIG/Bannu has submitted representation of Inspector Hidayatullah No. D/5 of Bannu Region for assignment of revised seniority into promotion list "F" over which comments were asked from DIG/DIKhan which received and put up to the high ups. Upon which Addl: IGP/HQRs ordered to keep pending the case till the decision of appeal subjudice in the Service Tribunal.

Now vide No. 9951-52/E-I dated: 24.04.2008 a copy of judgment of Service Tribunal NWFP received wherein the respondent Deptt: is directed to decide the departmental appeal of the appellant within one month.

An office note was put up to high ups and the worthy Addl: IGP/HQRs NWFP ordered to be examined by the DSC.

DSC thoroughly examined his case and found no plausible grounds for assignment of revised seniority into promotion list "F".

Case for promotion of FRP Personnel

The Govt. of NWFP, had established a force namely Frontier Armed Reserve during the year 1986. On 05.01.1988, Additional Police, Temporary Staff, PAF Contingents, Striking force and Mounted Police were absorbed in Frontier Armed Reserve vide Govt. of NWFP, Home and TAs Department Notification No. SO(Police-1)110/8-10/146-149 dated 06.01.1988 and decided that the duties and responsibilities of new set-up will be the same as those of REGULAR POLICE, elsewhere and its services are governed by the Police rules 1934, or any other rules applicable to their counterpart in the Regular Police. Therefore promotion from one rank to another and from one grade to another shall be in accordance with Chapter 13 of Police Rules.

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Later on in 1991, the name of the force FRP was converted into Frontier Reserve Police. In the year 1994 a Standing Order No. 3 was framed by the Police Chief for the promotion of illiterate constable of FRP to HC, ASI/PC and SI/PC. The same Standing Order was revised during the year 1999, where in its first para it was highlighted that list A, B, C, D and E shall be kept in the office of Commandant, FRP NWFP, for the purpose of the promotion of literate subordinates.

Due to some misunderstanding authority issued promotion orders to literate subordinates as ASI/PC and SI/PC on temporary basis. Many of them were given promotion from the rank of Head Constable (BPS-7) to SI/PC (BPS-14) for the period of two years, which is against the Police Rules, Standing Order No-3/1999-3/1999, 1/2006 and instructions issued by the Govt. of NWFP, Home Department.

Frontier Reserve Police was temporary force up to 30.06.2003 therefore no confirmation against any rank was made previously. On 01.07.2003 all temporary posts of FRP were converted into permanent status by the Provincial Govt. Therefore promotion orders of literate officials are required to be regularized as per Police Rules from their due dates.

The case was put up to the DPC. The DPC thoroughly discussed the issue and opined that as the police rules chapter 13 is in detail and very clear that a constable / head constable be admitted to list D who is not thoroughly efficient in a branch of the duties of the constable and head constable of established integrity. The FRP is also transit force and the officials are being transferred after 5 year service to their domicile District. Therefore, the quota of the lower college course intermediate college course and upper college course may be withdrawn. However, since there are some districts i.e. Charsadda, Mardan and Bannu etc, where the number of constables are out number of the districts and in those cases the Command FRP will issue guideline and circulate to the DPC for approval.

Number of officials/officers of FRP challenged this decision of the DPC. Now the Commandant FRP reported that Constables were enlisted in FRP up to the year 2003, who were given promotion after fulfilling the required condition of promotion as per Police Rules, as they were serving in FRP with their lien and order to implement decision of the DPC dated: 14.12.2006, they will be deprived from their legal rights, leading to the litigation. The Commandant FRP requested for reconsideration of the case by the DPC.

An office note was submitted to the high ups for orders, which was marked to DPC to examine the case and make recommendations (s).

The DPC examined the case very thoroughly and recommended that the previous decision of DPC shall stand however, a committee may be constituted the following officers to examine the case in the light of representation received and recommendation made by Commandant FRP and submit detail report with specific recommendation for consideration in the next meeting of the DPC.

- | | |
|--|----------|
| 1. Mr. Faqir Hussain, DIG/Inquiries & Inspections CPO. | Chairman |
| 2. Mr. Fasih ud Din, Deputy Commandant FRP NWFP | Member |
| 3. Mr. Liaqat Ali Khan, AIG/Legal CPO | Member |
| 4. Mr. Abdul Malik Khan, Registrar CPO | Member |

The above mentioned committee's meeting was held on 18.08.2007 at CI Peshawar and its recommendations are reproduced below:-

"At the outset, Liaqat Ali Khan, AIG/Legal informed the participant that the issue of promotion of FRP personnel has already been considered in DPC meeting held on 14.12.2005. As per decision of the DPC meeting, all literate subordinates FRP will be transferred to their domicile districts. He further added that duties in FRP does not fulfill the requirement of promotion as per police Rules, so quota various courses allowed to FRP, was withdrawn on the recommendation of DPC.

Abdul Malik Khan, Registrar, CPO endorsed the views of AIG/Legal and stated that all literate officials of FRP may be transferred to their respective districts as per decision taken in the DPC. He further added that FRP is a transit force therefore, their promotion can not be regularized as per police Rules.

Faqir Hussain, Commandant FRP, Chairman of the committee told the meeting that FRP has been given permanent status in 2003. However, the Committee agreed with the views of both the members. But he further added that on transfer to respective districts, no one is deprived from his due right/seniority.

After detailed discussions, the committee reached at the conclusion that

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Literate Head Constables and ASIs of FRP may be transferred to their domicile districts, to settle the issue once for all. The Commandant, FRP office will provide the names to CPO for further necessary action. However their names will be placed in list D on the merit of the year in which he passed the Intermediate Class Course.

All the literate HCs, ASIs were duly transferred to their respective domicile Districts.

Aggrieved to this Ali Hassan etc filed a writ petition before the Honourable High Court Peshawar. The honourable Peshawar High Court Peshawar while disposing of the writ petition passed the following order on 20.03.2008

"We feel that apparently the FRP is now a regular establishment and is no more a transit force and there is no proof that the personnel working therein were temporarily posted for five years, therefore, the discriminatory treatment meted out to them, is violative of the fundamental rights, particularly when, they will be placed at an extra-ordinary junior position if transferred to the District and enlisted there on the basis of their length of service and experience in all branches of police force. In any case, since the petitioners have not been transferred out of the Frontier Reserve Police within the prescribed period of five years, as stated in the impugned order, therefore, a mistake on the part of the concerned authorities cannot put the petitioners in an adverse situation and they cannot be penalized for the fault of the others. Moreover the decision to rectify a wrong practice shall definitely operate prospectively and it cannot be applied to the petitioners retrospectively who had been recruited in FRP and had been continuously serving the department for over fifteen years.

We, therefore, direct that the case of the regularization, promotions and opportunities for enlistment in the intermediate course etc, shall be re-examined at a higher level under the supervision of the Provincial Police Officer and the decision dated 16.02.2007, may be re-considered by the concerned DPC so that nobody should be discriminatively deprived of his legal rights and that no decision be made operative retroactively damaging the members of the discipline force who have to perform extra-ordinary duties and who deserve to be adequately compensated and encouraged. The re-consideration process be finalized within a period of two months and the result thereof be communicated to the petitioners and a report may be forwarded to the Registrar of this Court. With these observations these petitioners are disposed of."

The case was examined by the DSC in its meeting held on 14.05.2008 and it was decided to constitute a Committee comprising DIG/Investigation, AIG/Legal CPO & Registrar CPO to examine the case and submit detail report to next DSC meeting.

Seniority case of Inspector Riaz Ahmad of Malakand Region

Inspector Riaz Ahmad of Special Branch (CM Squad) has submitted an application for assignment of seniority into para no 14 of the notification of the Court order passed in case of Inspector/DSP Shafiullah and others of Malakand Region. The CPO Peshawar vide No. 5327/13-11 dated: 14.03.2007 had intimated that a case of Haji Bahadur Khan and 6 others against Shafiullah and his colleagues was subjudice in Service Tribunal Peshawar and directed to wait till the decision of the court.

According to the representationist now the case of Haji Bahadur Khan and others has been decided in favour of Shafiullah Khan Inspector/DSP and his colleagues. He requested that he alongwith his colleagues may be assigned seniority on the same analogy in light of Court decision (Service Tribunal NWFP) dated: 12.05.2005 i.e. confirmation as ASI from the date of their appointment, because in 1984 and 1992 direct appointed ASI have shown senior to them.

An office note was put up and the case was ordered to be placed before the DSC.

DSC examined the case in detail and decided that he should get remedy from the court.

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A. J. KHAN

Seniority case of Inspector Zia Hassan of DIKhan Region Now ACE/NWFP Peshawar

Vide Memo No 1010/ACE dated 29.02.2008 Director ACE/NWFP Peshawar submitted an application of Inspector Zia Hassan D/3 of DIKhan requesting for confirmation as Inspector over which comments of DIG/DIKhan were asked vide this office Endst: No. 1650/E-II dated 05.03.2008.

Vide Memo No. 752/ES dated 13.03.2008, DIG/DIKhan submitted his comments stating that SI Zia Hassan No. D/3 of DIKhan Region on deputation to ACE/NWFP was transferred to Special Branch NWFP from DIKhan District on 14.05.2003. During his posting in the Special Branch NWFP he was selected for UN Mission abroad to Kosovo where he spent one year i.e. from 13.08.2003 to 13.08.2004. He returned back from Kosovo on 14.08.2004 and remained posted to Special Branch NWFP. His total service in Special Branch NWFP including one-year period of UN Mission is 03 years.

He applied for confirmation as SI with the contention that he has completed 03 years service in Special Branch NWFP as per instructions and as such fulfilled the condition for confirmation in the rank of SI. In this connection, no specific rules/instructions were available on the subject whether the period he remained on UN Mission abroad to be counted toward his posting in Special Branch or otherwise.

DIG/DIKhan further reported that the case was referred to PPO/NWFP Peshawar vide this office Memo No.638/ES dated 23.05.2005 that one year period of UN Mission abroad i.e. from 13.08.2003 to 13.08.2004 he counted toward his posting in the Special Branch on deputation or other wise, so that his case for confirmation could be finalized. The PPO/NWFP Peshawar vide his Memo No. 10204/E-II dated 06.05.2006 intimated as under:-

Period on UN Mission can not be counted as period in Special Branch NWFP. So he completed one year more in Special Branch NWFP and was promoted on two years probation in the rank of SI with effect from 16.07.2005 on the available vacancy in DIKhan Region after completed 04 years service in Special Branch including one year UN Mission vide this office Endst: No.1406-7/ES dated 19.05.2007.

He was confirmed in the rank of SI from the same date i.e. 16.07.2005 after counting his remaining officiating period toward probation under police rule 13-18 vide this office E. dst: No.1530-31/ES dated 01.06.2007.

His F-list promotion recommendation case was submitted to CPO/NWFP vide this office Memo No.1537/ES dated 06.06.2007. On the direction of PPO/NWFP Peshawar letter No.17599/E-II dated 30.07.2007, the date of confirmation as SI was revised as 01.07.2007 instead of available vacancy i.e. on 16.05.2005 and revised confirmation order was issued on 01.07.2007 instead of 16.05.2005 vide this office order Endst: No.26.07-8/ES dated 06.10.2007.

An office note was put up before High ups and the case was referred to Departmental Selection Committee.

Departmental Selection Committee examined the case did not agree with the contention of petitioner for assignment revised seniority as he was not completed three years tenure in Special Branch physically during the period i.e. 14.05.2006.

Adjustment of Mr. Inayatullah as MVE in Police Department.

Four (4) Vacancies of MVEs are lying vacant in NWFP Police. In order to fill up these vacancies by the candidates of Automobiles and Diesel Engine Diploma holders.

Establishment Department Govt. of NWFP Peshawar addressed the PPO for the views regarding the adjustment of Mr. Inayatullah, Unit Supervisor (BS-11) District Tank now in Surplus Pool, office of the Assistant Agriculture Engineer DIKhan.

The case was put up to high-ups on which the Addl: IG/IIQRs ordered to place it before DSC.

DSC examined and decided that comments of this case may be retained in this regard.

ATTESTED
ADVOCATE

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Promotion of Inspector (FSL) to the rank of DSP/FSL

Mr. Inamullah Khan, Inspector (FSL) is the senior most Inspector of FSL (Chemical Section) as per seniority list. He is required to be promoted as DSP/FSL on a post of Mr. Ahmad Mustafa, DSP/FSL who was compulsorily retired after departmental proceeding against him.

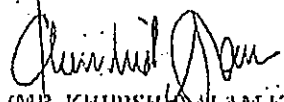
Mr. Ahmed Mustafa, DSP/FSL, went in appeal to the Chief Secretary, NWFP which was rejected. He preferred appeal in NWFP Service Tribunal which was disposed of by directing the Department for de novo proceedings. At present the department went in appeal before the Supreme Court of Pakistan against the said judgment of NWFP Service Tribunal which is subjudice.

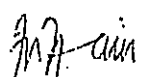
According to the seniority list following are the senior most Inspectors amongst whom one of the Inspector is required to be promoted on regular promotion as DSP/FSL or otherwise.

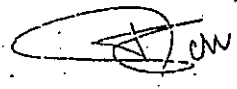
- 1. Mr. Inamullah, Inspector FSL.
- 2. Mr. Muhammad Zeb, Inspector FSL


The DPC is requested to examine the case of promotion of one of the Inspector to the rank of DSP/FSL (Chemical Section) BS-17.


DSC examined the case and recommends the name of senior most Inspector Mr. Inamulla for promotion as DSP/FSL (BPS-17) on regular charge basis. If the decision of case in the apex court, if the decision came in favour of Ahmad Mustafa, DSP, then he will have to be reverted.



 (MR. KHURSHID ALAM KHAN)
 CHAIRMAN
 Addl: Inspector General of Police,
 HQRs. NWFP, Peshawar.


 (FAQIR HUSSAIN)
 MEMBER
 Deputy Inspector General of Police,
 Investigation NWFP, Peshawar.

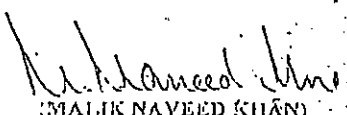

 (FLAZ AHMAD KHAN)
 MEMBER
 Addl: Inspector General of Police,
 Investigation NWFP, Peshawar.

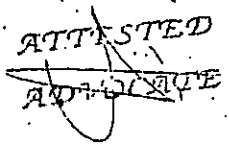

 (ATTAULLAH WAZIR)
 MEMBER
 Capital City Police Officer,
 Peshawar.


 (ABDUL WAJOOD SHAH)
 MEMBER
 Commandant Police Training
 College, Tangi


 (AMIR HAMZA MATISUD)
 MEMBER
 Deputy Inspector General of Police,
 Special Branch NWFP, Peshawar.

Approved


 (MALIK NAVEED KHAN)
 PROVINCIAL POLICE OFFICER, NWFP,
 PESHAWAR.

ATTESTED


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FROM:

The Provincial Police Officer,
H.W.P.F., PESHAWAR.
The Commandant,
F.R.P., NWFP., Peshawar.

TO:

7/E-II, Dated Peshawar, the 16/2/2007.

No. 2586

SUBJECT:-

REGULARIZATION OF PROMOTION ORDERS
OF FRP LITERATE OFFICIALS.

MEMO.

Dated 1-7-2006.

Please refer to your Memo.No.4048/EO.

The suggestion regarding probation order of FRP literate official received with your memo. under reference has been put up to the D.P.O. The D.P.O. thoroughly discussed the issue and opined that as the Police rules chapter 13 is in detail and very clear that no Constable/Head Constable be admitted in List-D who is not thoroughly efficient in all branches of the duties of the Constable and Head Constable of established integrity. The FRP is also transit force and the officials are being transferred after 5 years service in their domicile District. Therefore, the quota of the lower college course, inter adiate college course and upper college course may be withdrawn. However, since there are some districts i.e. Charnadda, Marian and Bannu etc, where the number of Constables are out number of the districts, in those cases the Commandant will issue guide line and circulate to the DPC for approval.

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16/2/07

for Provincial Police Officer

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for me
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JUDGMENT SHEET
IN THE PESHAWAR HIGH COURT PESHAWAR
JUDICIAL DEPARTMENT



JUDGMENT

WP No 1615-07 of 2007.
Date of hearing 20.3.2008.
Ali Hassan petitioner No.1 and Tayyeb Jan petitioner No.4
are present in person.
Mr. Muhammad Saeed Khan, Addl. A.G. alongwith Mr. Saadat Mehdi,
DSP for the respondents.

MUHAMMAD RAZA KHAN, C. J. - This order shall also be
deemed to be an order in the connected Writ Petitions No. 1616 and
1617 of 2007 as the identical questions are involved in all these cases.
Through these Constitutional Petitions the petitioners have challenged
the letter dated 16.2.2007, whereby the suggestion relating to the
promotion order of Frontier Reserve Police (FRP) literate officials,
moved by the Commandant FRP, was considered by the DPC and it
was held that under Chapter 13 of the Police Rules no constable/head
constable can be admitted to list 'D' unless he is thoroughly efficient in
all the branches of duties of the Constable/Head Constable. The
reasons advanced in the impugned letter for declining the proposal, was
that FRP is a transit force and the officials are transferred to their
Districts of domicile after five years.

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Clerk
Peshawar High Court

2. In the comments the respondents No.1, 2 and 3 have
admitted that some of the employees of FRP were erroneously
promoted and when the matter came to the notice of the concerned
authorities they placed it before the DPC where the said order was

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passed which is in accordance with the police rules applicable to the police establishment.

3. The petitioners contend that they had been appointed in the reserve police and they had been serving for a period ranging between 15 to 20 years and that their colleagues have been upgraded and promoted to senior positions, but the refusal to place them in 'D' list and to promote them, shall adversely affect their service interest amounting to discrimination. It was claimed that their colleagues in FRP have been given accelerated promotion and most of them are presently working as ASIs and SIs despite the fact that they were recruited along with the petitioners.

4. We feel that apparently the FRP is now a regular establishment and no more a transit force and there is no proof that the personnel working therein was temporarily posted for five years, therefore, the discriminatory treatment, meted out to them, is violative of the fundamental rights, particularly when, they will be placed at an extra-ordinary junior position if transferred to the Districts and allotted there on the basis of their length of service and experience in all branches of police force. In any case, since the petitioners have not been transferred out of the Frontier Reserve Police within the prescribed period of five years, as stated in the impugned order, therefore, a mistake on the part of the concerned authorities cannot put the petitioners in an adverse situation and they cannot be penalized for the fault of the others. Moreover the decision to rectify a wrong practice shall definitely operate prospectively and it cannot be applied to the

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petitioners retrospectively who had been recruited in RRP and had been continuously serving the department for over fifteen years.

We, therefore, direct that the case of the regularization, promotions and opportunities for enlistment in the intermediate course etc., shall be re-examined at a higher level under the supervision of the Provincial Police Officer, and the decision dated 16.2.2007 may be re-considered by the concerned DPC so that nobody should be discriminatively deprived of his legal rights and that no decision be made operative retrospectively damaging the members of the discipline force who have to perform extra-ordinary duties and who deserve to be adequately compensated and encouraged. The re-consideration process be finalized within a period of two months and the result thereof be communicated to the petitioners and a report may be forwarded to the Registrar of this Court. With these observations these petitions are

disposed of.

M. Mansoor Raza
Sd/- M. Mansoor Raza

Announced:
Dated 20.3.2008.

CERTIFIED TO BE TRUE COPY
Examiner
Peshawar High Court
authorized Under Section 20

5409
Date of Presentation of Application 20/3/08
No. of Pages 1
Copying Fee 0
Stamp Fee 0
No. of Preparation Copy 3
Delivery of Copy 11/3/08

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MINUTES OF DEPARTMENTAL SELECTION COMMITTEE HELD ON 07.05.2009
IN THE CONFERENCE ROOM OF CPO PESHAWAR.

A meeting of Departmental Selection Committee was held on 07.05.2009 at CPO Conference Room. The following officers attended the meeting.

- 1 Mr. Abdul Latif Khan CHAIRMAN
Addl: Inspector General of Police,
Operations NWFP, Peshawar.
- 2 Mr. Abdul Majeed Khan Marwat Member
Addl: Inspector General of Police,
Headquarters NWFP, Peshawar.
- 3 Mr. Faqir Hussain Member
Deputy Inspector General of Police,
Enquiry & Inspections NWFP, Peshawar.
- 4 Mr. Abdul Wadood Shah Member
Commandant PTC,
Hangur
- 5 Mr. Safwan Chayur Member
Capital City Police Officer,
Peshawar.
- 6 Mr. Kholid Masud Member
Deputy Inspector General of Police,
Operations, NWFP Peshawar.
- 7 Mr. Attaullah Wazir Member
Commandant FRP NWFP Peshawar.

The following miscellaneous cases were discussed in the DSC meeting and recommendations made against each case:

Confirmation case of
Inspector Bakht Zada
No. M/33 of Malakand
Region

Director ACE NWFP Peshawar has forwarded an application of Inspector Bakht Zada No: M/33 requesting therein for confirmation as Inspector.

His case for confirmation as Inspector was discussed by the DSC in meeting held on 30.04.2008 and was deferred due to incomplete ACRs.

Superintendent Secret & training CPO submitted synopsis of ACRs for years 2002 to 2007. His ACR for the year 2006 sent to the then PPO/NWFP Mr. Rifat Pasha for countersignature.

DSC thoroughly examined his case and recommended him for confirmation as Inspector with his colleagues.

Case of Inspector Umar
Daraz of
CCP/Peshawar

The Capital City Police Peshawar vide No. 13128/EC-I dated: 16.12.2008 has forwarded application of Inspector Umar Daraz Khan, stating therein that his name may be included into seniority list of Inspector between the name of Inspector Ashraf Zaman and Gulma Khan at S/No. 2 & 3. His application was endorsed Commandant, FRP NWFP Peshawar for comments vide No. 34207/E-II dated 30.12.2008.

The Commandant FRP vide his Memo No. 946/EC dated: 09.02.2009 has intimated that Inspector Umar Daraz was enlisted as constable in FRP/NWFP on 01.01.1987. He qualified Lower School course during the term ending 29.10.1990 and intermediate College Course during the term ending 23.08.1999, he has been

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promoted as HC on 30.01.1989 SI/PC on 04.06. 992 and Inspector on 21.04.1993 by the Commandant FRP. His name was brought on promotion lists "D" and "E" on 10.10.1997 and 11.04.2000 respectively by the Commandant FRP. He was reverted to the rank of HC on 25.04.2003 and dismissed from service on 16.07.2003. Later on, upon lodging an appeal in the NWFP Service Tribunal NWFP he was re-instated with all back benefits by service Tribunal NWFP and honorably acquitted by the Special Anti Corruption Judge NWFP, Peshawar in the criminal case registered against him.

His case for inclusion of his name into promotion List-F and promotion as Inspector was recommended by Commandant FRP NWFP Peshawar vide his Memo No. 11/PA dated 24.01.2003, but soon after his reversion to the rank of HC & dismissal, recommendation for promotion list "F" were withdrawn by the Commandant FRP.

The case was put up before the high ups which was marked to DSC.

His case was thoroughly examined by the DSC and marked to sub-committee consisting of the following officers to submit legal suggestion to next DSC meeting.

1. Mr. Qudratullah Khan, DIG/Investigation, NWFP Peshawar.
2. Mian Khurshid Anwar, AIG/Legal CPO, Peshawar.
3. Mr. Abdul Malik Khan, Registrar CPO, Peshawar.

The DIG/Mardan vide his Memo No. 5437/EC dated: 11.11.2008 has forwarded application of Inspector Muhammad Ashfaq acting DSP/HQrs Mardan for seniority into promotion list "F" according to date of confirmation as SI and requested for placing his name above the name of Inspector now DSP Akhtar ul Inan

The case was referred to the DSC.

The case was examined in the DSC and rejected the representation having no merit.

Commandant, PTC Hangu forwarded case of the three Officers namely SI Habibullah No. 368/M, SI Ghulam Sadiq No. 269/M and SI Faqir Hussain No. 381/P being competent, experienced who trained 650 trainees in the short period of 45 days already on list-E, recommended that they should be brought on list F as a special case.

Case was examined by the DSC and marked to sub-committee consisting of the following officers to submit the recommendation to next DSC meeting.

1. Mr. Faqir Hussain, DIG/Enquiry & Inspection NWFP Peshawar.
2. Mr. Abdul Wadood Shah, Commandant PTC Hangu.
3. Mr. Khalid Masood, DIG/Operations NWFP Peshawar.
4. Mr. Attaullah Wazir Commandant FRP NWFP.

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Representation of Inspector now DSP Muhammad Ashfaq of Mardan Region for revised seniority

Recommendation of PTC Hangu for inclusion of names of SIs to promotion list F

Seniority case of Lady SIs of CCP/Peshawar

The CCPO vide Memo No. 4672/F-I dated 13.05.2008 forwarded applications of Lady SI Anceela Naz No.47/P, SI Asmat Ara No.44/P and SI Shazia Shahid No.43/P of his establishment who had requested for confirmation and assignment of fixed seniority into promotion list "E".

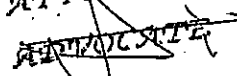
As per CCPO, Peshawar 6 Lady ASIs were enlisted/appointed as direct ASI vide CPO Peshawar order No. 5798-808/F-II 5811-15/F-II dated 24.03.1996 in their seniority was fixed according to their date of birth as under:-

Sr No	Name & No	Date of birth	Date of enlistment/arrival	Date of confirmation on OF List-II	Educational	Date of promotion as Sub-Inspector	Courses passed
1.	Rozin Bat No.P/39	30.07.1969	27.03.1996	18.04.2002	BA	13.05.2005	Prob course Upper Course
2.	Hanida Bat No.P/40	04.12.1970	28.03.1996	18.04.2002	BA	13.05.2005	Prob course Upper Course
3.	Anceela Naz No.P/47	09.10.1971	03.04.1996	18.04.2002	MA	01.04.2004	Prob course Upper Course
4.	Sura Saleh No.P/36	06.04.1975	27.03.1996	18.04.2002	FA	01.04.2004	Upper Course
5.	Asmat Ara No. P/42	15.04.1975	27.03.1996	18.04.2002	MA	01.04.2004	Prob course Upper Course
6.	Shazia Shahid No.P/43	30.04.1976	31.03.1996	18.04.2002	FA	01.04.2004	Prob course Upper Course

They were confirmed in the rank of ASI and their names were brought promotion list E vide CCPO Peshawar Notification No. 2809-15/EC-I dated 18.04.2002. Later on the CCPO Peshawar promoted 4 Lady ASI to the rank of OF SIs wherein 2 Lady ASI namely ASIs Anceela Naz & Sura Saleh on the basis of Upper College Course and the other 2 Lady ASI Asmat Ara and Shazia Shahid on the basis of probation Class course vide order No. 1-8/CRC dated 01.01.2004.

After qualifying the probation Class Course the same 2 Lady ASIs, on "E" were also promoted as Offg: SIs by the CCPO, Peshawar vide order No. 663/EC-I dated 13.05.2005.

The CPC examined their case in the light of rules, which revealed that 12.2 (3) envisage the principles regarding Seniority and probation whereas P.R. 1 also provides that probationer ASIs who are directly appointed would be considered for probation for 3 years and are liable to be discharged at any time within the period of their probation if they failed to pass the prescribed examination. In light of rule if the case of all the SIs is considered, it would reveal that none of the Lady has qualified the prescribed examination within the period of 3 years. Relevant rules have not been followed while making confirmation of lady police officers. The confirmation of these officer is not in accordance with Police Rule 1 which needs to be revised and made strictly as per provision of Police Rules. A revised confirmation in accordance with Police Rules 13.8, their seniority will be automatically settled as seniority is to be reckoned from the date of confirmation. The CCPO therefore may proceed according to Law/Rule:

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discussed above. Confirmation is to be made on the basis of completion of probationary course i.e. from the dates when they qualified it.

The CCPO, Peshawar vide Notification No. 8977-84/EC-I dated 21.10.2009 issued revised seniority list of Lady SIs on the basis of Police Rules 13. The CCPO/Peshawar has forwarded application of lady SIs Rozin Altaf No. P/E and Hameeda Panj No. P/99 against the above decision and also intimated that the revised seniority notification has not been correctly and properly processed under the rules as checked by CCPO.

It is submitted that this office is in the process of establishing/constituting committee to process the seniority case of Lady SIs of CCP Peshawar under the rules, as these seem to have been haphazardly drawn up.

The case was marked to DSC.

The DSC thoroughly examined their case and decided to send the case to CCPO/Peshawar to submit detail report within one month to next DSC for further action.

Representation of Inspectors for restoration of seniority

As per DSC Decision dated 09.02.2009 the date of confirmation of 24 Sub-Inspectors of CCP Peshawar was revised as 06.10.1997 instead of various dates. They were assigned ante-dating seniority into promotion list "F" according to the date of confirmation and names placed above the name of Inspector Ehsanullah No. K/14 at S/No 57 and below the name of Inspector Khurshid Ahmed No. P/2 at S/No. 55 of the seniority list issued vide this office Notification No. 4626-56/EC dated 19.02.2009

Aggrieved to this the following Inspectors on list "F" have submitted representations and requested to set aside the impugned Notification No. 7103/EC dated 12/3/2009 and the due seniority of the applicants may be restored.

S/No	Name and number	Home District	Edu	Date of Birth	Date of joining Serv	Date of confirmation in rank of Sub-Inspector	Date of admission in rank of Inspector	Date of continuous service as Inspector	Date of confirmation as Inspector
1	Ehsanullah No. K/14	Dannu	F.A	10.01.62	05.06.83	05.11.97	16.3.2002	18.11.2002	16.03.03
2	Mir Chamun No. K/12	Koruk	BA	22.04.53	22.09.77	05.02.98	16.03.2001	18.11.2003	16.03.03
3	Pir Shahab Ali Shah No. MR/1	Mardan	MA/LLB	12.08.60	10.04.86	20.08.98	16.03.2002	16.01.2003	16.03.03
4	Zain Khan No. P/52	Mardan	MA/LLB	01.04.60	06.03.90	15.12.98	16.12.2005	16.12.2005	16.03.03

The representations of the above Inspectors were put before the high ups which were marked to the DSC.

DSC thoroughly examined their representation and marked the case to a committee consisting of the following officers to check as to whether their probationary period was completed on 06.10.1997.

1. Mian Khurshid Anwar, AIG/Legal CPO

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Case of Inayatullah of Surplus Pool for adjustment as MVE in Police Department

The DSC examined the case and referred it to the committee already formed for the purpose.

Four (4) Vacancies of MVEs are lying vacant in NWFP Police.

In order to fill up these vacancies by the candidates of Automobiles & Diesel Engine Diploma holders, the Establishment Department Govt. of NWFP Peshawar addressed the PPO for views regarding the adjustment of Mr. Inayatullah Unit Supervisor (BS-11) District Tank now in Surplus Pool office of the Assistant Agriculture Engineer DIKhan.

The case was put up to high-ups on which the Addl. IGP/HQRs ordered to place it before DSC.

The case was discussed in the DSC meeting held on 14.05.2008 and it was decided to seek comments of AIG/Traffic in this regard.

The AIG/Traffic vide memo No. 2181/EC dated: 29.07.2008 submitted that applicant Mr. Inayatullah passed his diploma in Auto & Diesel Technology from Govt. College of Technology, Kohat Road, Peshawar. He is fulfilling the required qualification/standard for the post of MVE. However, proper procedure for appointment is necessary to be adopted.

The posts of MVE were previously advertised in the news papers by the CPO to invite application of the candidates, fulfilling the required standard followed by test and interview. The Case was discussed in the DSC meeting held on 14.10.2008 and it was decided to refer the case to Govt. to provide list of all other officers having the required qualification for adjustment as MVE in Police Department. The Govt. of NWFP Establishment Department intimated that Mr. Inayat Ullah, of Surplus unit Supervisor (BPS-11) having diploma of Associate Engineering in Auto & Diesel, fulfils the prescribed qualification for the post of Motor Vehicle Examiner. He may be adjusted against the said vacant post. There is no provision in the surplus Policy to place the Surplus Employees before the DPC/DSC, if he fulfills the qualification prescribed for the post and also endorsed to District Coordination Officer Tank with the request to place the services of Mr. Inayat Ullah Surplus Unit Supervisor (BPS-11) District Tank at the disposal of DIG/(HQ) Central Police Office, NWFP Peshawar for further adjustment against the vacant post of Motor Vehicle Examiner (BPS-11).

In light of the above instructions of the Govt. of NWFP Establishment Department the DCO concerned has relieved Mr. Inayat Ullah Surplus Unit Supervisor (BPS-11) District Tank and placed his services at the disposal of DIG/HQs CPO, NWFP Peshawar for further adjustment against the vacant post of Motor Vehicle Examiner.

The DSC examined the case in its meeting held on 09.02.2009 and noticed that complete record of the case has not been provided to the DSC for perusal as the list of officers provided by the Establishment Department is not available. It was decided to adjourn the case for want of complete record of the case and list of all other officers having the required qualification.

Govt. of NWFP Establishment Department provided list of other officers having the required qualification.

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The case was referred to DSC.

The DSC examined the case of Inayatullah of Surplus pool and recommends to adjust him against the post of MVE in Police Department.

Representation of Inspector Akhtar Ali of Investigation Nowshera for seniority.

Capital City Police Officer, Peshawar has forwarded representation submitted by Acting DSP Investigation Nowshera Akhtar Ali Khan No. P/185 requesting therein that his case may kindly be considered for revised confirmation as SI w.e. from 06.10.1997 instead of 31.03.2000 like others regarding confirmation of 24 SIs of Capital City Police Peshawar.

The same was forwarded to the CCPO/Peshawar for parawise comments.

The CCPO/Peshawar submitted the following parawise comments:-

26 SIs are senior from the above Inspector and they were confirmed in the rank of SIs with effect from 06.10.1997 by the then DIG/Peshawar Range Peshawar vide notification No. 725-38/EC dated 29.01.2001.

The order of the 26 SIs was then revised in the light of PPO NWFP Peshawar's memo No. 17914/E-II dated 25.10.2001 wherein it was directed that confirmation of the above SIs may be made on case to case basis against the vacancies occurred from various dates. In the DIG/PR order No. 95203/EC dated 27.10.2001 the last one out of 26 SIs, was SI Subat Khan No. P/185 who was confirmed with effect from 28.02.2000. After that on the direction of PPO vide his letter No. 15797/E-II dated 20.09.2000, the representationist Inspector Akhtar Ali No. P/85 now DSP/Investigation Nowshera was also confirmed in the rank of SI w.e. from 31.03.2000, as a Special case due to his extra ordinary performance in case FIR No. 337 dated 23.11.2000 by the DIG/PR vide his letter No. 9477/EC dated 25.10.2000.

Against the revised confirmation order the following inspectors represented.

- i. Inspector Rahim Shah.
- ii. Inspector Tariq Sohail.
- iii. Inspector Khan Akbar.

The representations of the above inspectors were thoroughly examined by the DPC in its meeting held on 09.02.2009 and recommended to restore the previous notification earlier issued by the DIG/PR and further stated that seniority of the officers may be fixed on the basis of their confirmation i.e 06.10.1997.

In the light of above recommendations of DPC, the previous notification of their confirmation was restored vide this office notification No. 3004/EC-1 dated 04.03.2008 while the revised notification of their confirmation was withdrawn.

On the analogy of above confirmation of SIs now Inspector Akhtar Ali Khan has also requested that he may be confirmed as SI with effect from 06.10.1997 instead of 31.03.2000.

In this regard it is also pertinent to mention here that Mr. Akhtar Ali Khan was confirmed as SI for his extra ordinary performance in case FIR No. 337 dated 23.11.2000.

The case was put before the high up which was marked to the DSC.

DSC examined the case and rejected his representation having no merits.

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Representation of Inspector Saleem Amanullah of CCPO/Peshawar for

The CCPO/Peshawar has forwarded the representation of Inspector Saleem Amanullah of CCPO Peshawar requesting therein that his name in the seniority list of Inspector and Sub-Inspector of list "F" as stand on 31.12.2008 may kindly be

The case was referred to DSC.

The DSC examined the case of Inayatullah of Surplus pool and recommends to adjust him against the post of MVE in Police Department.

Representation of Inspector Akhtar Ali of Investigation Nowshera for seniority.

Capital City Police Officer, Peshawar has forwarded representation submitted by Acting DSP-Investigation Nowshera Akhtar Ali Khan No. P/185 requesting therein that his case may kindly be considered for revised confirmation as SI w.e. from 06.10.1997 instead of 31.03.2000 like others regarding confirmation of 24 SIs of Capital City Police Peshawar.

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The representations of the above Inspectors were thoroughly examined by the DPC in its meeting hold on 09.02.2009 and recommended to restore the previous notification earlier issued by the DIG/PR and further stated that seniority of the officers may be fixed on the basis of their confirmation i.e 06.10.1997.

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In this regard it is also pertinent to mention here that Mr. Akhtar Ali Khan was confirmed as SI for his extra ordinary performance in case FIR No. 337 dated 23.11.2000.

The case was put before the high up which was marked to the DSC.

DSC examined the case and rejected his representation leaving no merits.

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Representation of Inspector Saleem Amanullah of CCPO Peshawar for

The CCPO Peshawar has forwarded the representation of Inspector Saleem Amanullah of CCPO Peshawar requesting there in that his name in the seniority list of Inspector and Sub-Inspector of list "F" as stood on 31.12.2008 may kindly be

- 2. Mulk ur Rehman, DSP/Legal Investigation NWFP Peshawar.
- 3. Supdt: Establishment CPO Peshawar.
- 4. Establishment Clerk-II CPO
- 5. Mir Hassan Establishment Clerk CCP/Peshawar.

Fixation of 02 years tenure for posting of Head of Investigation

Vide Memo No. 1444/Inv: dated: 18.02.2009 Addl: ICP/Investigation has submitted a copy of letter No. 217/Inv: dated: 21.01.2009 of SSI/Abbottabad wherein he suggested at least 2 years tenure for posting of Head of Investigation and to a mechanism in Police order 2002 for premature transfer of Head of Investigation.

An office note was put up to the highups which was marked to DSC.

The DSC examined the case and recommended to fix tenure of Head of Investigation as per tenure of DPO.

Promotion case of FRP Personnel

The Govt. of NWFP, had established a force namely Frontier Armed Reserve during the year 1986. On 16.01.1988, Additional Police, Temporary Staff, PAF Contingents, Striking force and Mounted Police were absorbed in frontier Armed Reserve, vide Govt. of NWFP, Home and TAs, Department Notification No. SO(Police-1)HD/R-10/146-149 dated 16.01.1988 and decided that the duties and responsibilities of new set-up will be the same as those of REGULAR POLICE elsewhere and its services are governed by the Police rules 1934, or any other Rules applicable to their counterpart in the Regular Police. Therefore promotion from one rank to another and from one grade to another shall be in accordance with Chapter 13 of Police Rules.

Later on in 1991, the name of the force FAR was converted into Frontier Reserve Police. In the year 1994 a Standing Order No. 3 was framed by the Police Chief for the promotion of illiterate constable of FRP, to HC, ASI/PC and SI/PC. The same Standing Order was revised during the year 1999, that list A, B, C, D and E. Shall be kept in the office of Commandant, FRP NWFP, for the purpose of the promotion of literate subordinates.

Due to some misunderstanding authority issued promotion orders of literate subordinates as AS/PC and SI/PC on temporary basis. Many of them were given promotion from the rank of Head Constable (BPS-7) to SI/PC (BPS-14) for the period of two years which is against the Police Rules, Standing Order No-3/1994, 3/1999, 1/2006 and instructions issued by the Govt. of NWFP, Home Department.

Frontier Reserve Police was temporary force up to 30.06.2003 therefore no confirmation against any rank was made previously. On 01.07.2003 the temporary posts of FRP were converted into permanent status by the Provincial Govt. Therefore promotion orders of literate officials were required to be regularized as per Police Rules from their due dates.

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The case was put up to the DPC. The DPC thoroughly discussed the issue and opined that as the police rules chapter 13 is in detail and very clear that no constable / head constable be admitted to list D who is not thoroughly efficient in all branches of the duties of the constable and head constable of established integrity. The FRP is also transit force and the officials are being transferred after 5 years service to their domicile District. Therefore, the quota of the lower college course, intermediate college course and upper college course may be withdrawn. However, since there are some districts i.e. Charsadda, Mardan and Bannu etc, where the number of constables out number the other districts and in those cases the Commandt FRP will issue guide line and circulate to the DPC for approval.

Number of officials/officers of FRP challenged this decision of the DPC. Now the Commandant FRP reported that Constables were enlisted in FRP upto the year 2003, who were given promotion after fulfilling the required condition of promotion as per Police Rules, as they were serving in FRP with their lien and in order to implement decision of the DPC dated: 14.12.2006, they will be deprived from their legal right, leading to the litigation. The Commandant FRP requested for reconsideration of the case by the DPC.

An office note was submitted to the high ups for orders, which was marked to DPC to examine the case and make recommendation (s).

The DPC examined the case very thoroughly and recommended that the previous decision of DPC shall stand however, a committee may be constituted of the following officers to examine the case in the light of representation received and recommendation made by Commandant FRP and submit detailed report with specific recommendations for consideration in the next meeting of the DPC

- | | |
|--|----------|
| 1. Mr. Faqir Hussain, DIG/Enquiries & Inspections CPO. | Chairman |
| 2. Mr. Fasih ud Din, Deputy Commandant FRP NWFP | Member |
| 3. Mr. Linqat Ali Khan, AIG/Legal CPO | Member |
| 4. Mr. Abdul Malik Khan, Registrar CPO | Member |

The above mentioned committee's meeting was held on 18.08.2007 at CPO Peshawar and its recommendations are reproduced below:-

"At the outset, Linqat Ali Khan, AIG/Legal informed the participants that the issue of promotion of FRP personnel has already been considered in DPC meeting held on 14.12.2006. As per decision of the DPC meeting, all domestic subordinates of FRP will be transferred to their domicile districts. He further added that since the FRP does not fulfill the requirements of promotion as per rule 13 of Police Rules for various courses, hence, the FRP was withdrawn on the recommendation of DPC.

Abdul Malik Khan, Registrar CPO endorsed the views of AIG/Legal and stated that domestic officials of FRP may be transferred to their respective districts as per decision taken in the DPC. He further added that FRP is a transit force; therefore, their promotion cannot be regularized as per police Rules.

Faqir Hussain, Commandant FRP, Chairman of the committee told the meeting that FRP has been given permanent status in P.O.J. However, the Chair

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agreed with the views of both the members. But he further added that on transfer to respective districts, no one is deprived from his due right/seniority.

After detailed discussions, the committee reached at the conclusion that all literate Head Constables and ASIs of FRP may be transferred to their domicile districts, to settle the issue once for all. The Commandant, FRP office will provide the names to CPO for further necessary action. However their names will be placed in list D on the merit of the year in which he missed the Intermediate Class Course.

All the literate HCs, ASIs were duly transferred to their respective domicile Districts.

Aggrieved to this Ali Hassan etc filed a writ petition before the Honourable High Court, Peshawar. The honourable Peshawar High Court Peshawar while disposing of the writ petition passed the following order on 20.03.2008 (copy attached).

"We feel that apparently the FRP is now a regular establishment and no more a transit force and there is no proof that the personnel working therein were temporarily posted for five years. therefore, the discriminatory treatment, meted out to them, is violative of the fundamental rights, particularly when they will be placed at an extra-ordinary junior position if transferred to the Districts and enlisted there on the basis of their length of service and experience in all branches of police force. In any case, since the petitioners have not been transferred out of the Frontier Reserve Police within the prescribed period of five years, as stated in the impugned order, therefore, a mistake on the part of the concerned authorities cannot put the petitioners in an adverse situation and they cannot be penalized for the fault of the others. Moreover the decision to rectify a wrong practice shall definitely operate prospectively and it cannot be applied to the petitioners retrospectively who had been recruited in FRP and had been continuously serving the department for over fifteen years.

We, therefore, direct that the case of the regularization, promotions and opportunities for enlistment in the intermediate course etc, shall be re-examined at a higher level under the supervision of the Provincial Police Officer and the decision dated 16.02.2007 may be re-considered by the concerned JPC so that nobody should be discriminatively deprived of his legal rights and that no decision be made operative retrospectively damaging the members of the discipline force who have to perform extra-ordinary duties and who deserve to be adequately compensated and encouraged. The re-consideration process be finalized within a period of two months and the result thereof be communicated to the petitioners and a report may be forwarded to the Registrar of this Court. With these observations these petitioners are disposed of."

The case was referred to DSC. The DSC in its meeting held on 14.05.2008 decided to constitute a committee comprising DIG/Investigation, AIG/Legal CPO, and Registrar CPO, Peshawar to examine this case and submit detail report to next DSC meeting.

The committee has examined the case and submitted a detail report with the following recommendation: -

A. The committee after due deliberation and in order to give effect to the orders

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of the High Court recommends that earlier decision on the DPC should not be applied retrospectively and all officials of the FRP be given permanent status and maybe confirmed in their rank with their colleagues after completing their probation period as per FR 13.18.

Benefit received by the officials in the FRP till decision of DPC and their repatriation in the Districts of their domicile be kept in tact so that they should not be deprived of any right as per decision of the Court.

All these officials may be dealt strictly according to standing order No.3/99. Literate officials may be treated as per Police Rules, whereas cases of illiterate officials may be treated as per criteria in the Standing Order. Seniority of illiterate officials be fixed on each instance on the basis of course undergone and criteria fixed under Police Rules Chapter 13.

The case was referred to DSC
DSC thoroughly examined the case and agreed with the above recommendation of the sub committee. B.

Allotment of marks / number for Anti Terrorist & Sabotage training held at BDS Lahore.

Vide Memo No. 2054/SRC dated 30.03.2009 DPO Kohat has intimated that many Constables of his District have passed Anti Terrorism and Sabotage Training held at Bomb Disposal Unit Lahore, but this Course has not been mentioned in Standing Order No.10/1987 now read with Standing Order No.1/2004. He requested that his office may be apprised about the numbers of above course which will be given to those constable who have passed B-I examination during the year 2009. Duration of this training is about 15 days.

An office note was put up and the Addl. IGP/HQrs NWFP Peshawar referred the case to DSC.

The DSC examined the case and referred it to the committee consisting of the following officers to check the standing order No. 01/2004 and submit suggestions regarding all the courses.

1. Mr. Abdul Majeed Khan Marwat, Addl. IGP/HQrs NWFP Peshawar.
2. Mian Khurshid Anwar, AIG/Legal CPO Peshawar.
3. Mr. Abdul Malik Khan, Registrar CPO

Grant of Marks for general protection course.

Deputy Inspector General of Police Bannu vide his Memo No. 1297/EC dated 11.04.2009 at Annexure "A" has intimated that Constable Saadullah No. 115 of Operation staff, Bannu, preferred an application through DPO/Bannu vide his Memo No. 3467 dated 07.04.2009, requesting therein for the grant of 02 marks for General Protection Course as the same marks have not been given in the merit list of B-I, selection, made by DPO/Bannu.

According to the amendment in the Standing Order No. 1/2004, issued by CPO, Peshawar, 2 marks have been allowed to those Candidates who have undergone/proceeded to Improvised Explosive Device Course instead of General Protection course.

An office note was put up and the Addl. IGP/HQrs NWFP Peshawar referred the case to D.C.

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seniority.

Inspector and Sub-Inspector of list "P" as stated on 11.1.2006 may kindly be corrected and his name be placed at S/No. 214 of list as he was confirmed as sub-Inspector on 06.09.2006. on which the comments of CCPO/Peshawar were asked.

The CCPO Peshawar has submitted the following comments:-

- 1. Para No. 1 Correct as per record.
- 2. Para No. 2 correct, the applicant had filed representation for confirmation with his colleagues.
- 3. Para No. 3. Correct, the representation of applicant was accepted and his seniority was revised. He was confirmed w.c form 06.09.2006.
- 4. Para No. 4 the Seniority list was issued by PPO NWFP Peshawar where in his name placed at S/No. 315.
- 5. Para No. 5 Correct as per record.

Prayer:

Keeping in view the above representation of Saleem Aman Inspector may kindly be considered in the light of his revised seniority from date of confirmation.

The case was put before the high one which was marked to the DSC. DSC thoroughly examined the case and recommended that he be assigned revised seniority with his colleagues according to date of confirmation as Sub Inspector.

(Signature)
(ABDUL LATIF KHAN)
CHAIRMAN

Addl. Inspector General of Police,
Operations, NWFP, Peshawar.

(Signature)
(ABDUL MAJEED KHAN MARWAT)
MEMBER

Addl. Inspector General of Police,
Headquarters NWFP Peshawar

(Signature)
FAOIR HUSSAIN
MEMBER

Deputy Inspector General of Police,
Inquiry & Inspection NWFP
Peshawar

(Signature)
(ABDUL WADOOD SHAH)
MEMBER

Commandant Police Training
College, Hangu

(Signature)
(SARWAR GILAYUR)
MEMBER

Capital City Police Officer
Peshawar.

(Signature)
(KHALID MASUD)
MEMBER

Deputy Inspector General of Police,
Operations NWFP Peshawar

(Signature)
(ATA ULLAH WAZIR)
MEMBER

Commandant FRP NWFP
Peshawar.

Approved

(Signature)
(MALIK NAYEED KHAN)
PROVINCIAL POLICE OFFICER, NWFP,
PESHAWAR.

ATTESTED
(Signature)

Annexure
"L" 70

BEFORE THE PESHAWAR HIGH COURT PESHAWAR.

W.P NO. _____-P/2023.

1. Tayyab Jan, DSP/SP Traffic HQs, Peshawar.
2. Ali Hassan DSP/ Acting SP Investigation, Orakzai Distt.
3. Shajid Ahmad SP Training, CPO Peshawar.
4. Habibur Rehman, DSP, Hazara Region Abbottabad.
5. Sajjad Haider, DSP Hazara Region Abbottabad.
6. Liaqat, Inspector, Hazara Region, Abbottabad.
7. Rizz Khan DSP, Bannu region, Bannu.
8. Aurangzeb, DSP, Hazara Region Abbottabad.
9. Amir Khatam, Inspector, Hazara Region Abbottabad.
10. Sajjad Hussain, Inspector, Kohat Region Kohat.
11. Nasir khan, SP(ACB), CPO, Peshawar.
12. Ali Ahmad, Inspector, Kohat.

RE-FILED TO

Deputy Registrar

22 MAR 2023

.....Petitioners.

VERSUS

1. The Govt. of KP through Chief Secretary, KP Civil Secretariat Peshawar.
2. The Inspector General of Police, Khyber Pakhtunkhwa.
3. The Capital Police Officer, CPO Police Lines Peshawar.
4. Regional Police Officer, Hazara.
5. Regional Police Officer, Kohat.
6. The Commandant FRP, Peshawar.

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ADJUDICATE

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7. The Commandant FRP, Peshawar.

Respondents

WRIT PETITION UNDER ARTICLE 199(1) (a) (i) (ii) OF THE CONSTITUTION OF THE ISLAMIC REPUBLIC OF PAKISTAN 1973 AS AMENDED UP TO DATE.

R.SHEWETH.

Brief facts of the case are as under:

- 1- That all the petitioners are the law abiding citizen of Pakistan and have every legal and constitutional rights duly protected under law of the land.
- 2- That all the petitioners are presently performing their duties in the rank of DSP and they belonged to FRP (Frontier Reserve Police) where there is no case of Gallantry, Cadets, Out of turn promotion, etc, because each and every aspect of the FRP (Frontier reserve Police), as per history given below, differs the case of petitioners from those who are hit by the Judgment of the Hon'ble Apex Court passed in Out of Turn Promotion Cases. Copy of seniority list of petitioners as DSP is attached as Annexure - A.
- 3- That initially in the year 1988, the Homes & T.A Deptt. created as force Armed Reserve Police Force (ARP), which consisted of the following Units.
 - i)- Additional Police.
 - ii)- Special Police Levy.
 - iii)- PAF Contingent.
 - iv)- Range Reserve Police.
 - v)- Provincial Reserve Armed Platoons.
 - vi)- Frontier Armed Reserve.
 - vii)- Campus Peace Corps UOP.
 - viii)- STF&ATS.
 - ix)- Mounted Police.
 - x)- standing Guards & Police Escorts.

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20-MAR-2023

In para-5 of the memo it was clarified that the duties and responsibilities of the new set-up will be the same as those of

ATTESTED
ADJUTANT

Regular Police elsewhere and service will be governed by the Police Rules or any other Rules applicable to their counterparts in Regular Police. The Copy of memo dated 16.01.1988 is attached as Annexure - B.

4- That on 13.03.1988, a Standing Order No.2 of 1988 was issued wherein the Campus Police Corp and Special Police Levy along with all arms, ammunition, transport etc were placed under the administrative control the Commandant Frontier Armed Reserve (FAR). Copy of the Standing order is attached as Annexure - C.

5- That on 27.02.1991, the Frontier Armed Reserve (FAR) was re-named as Frontier Reserve Police (FRP), by then then IGP KP and since then this wing of Police Force is continuing as FRP. Copy of the IGP's order is attached as Annexure - D.

6- That on 28.08.1993, a proper Recruitment Policy was issued for the recruitment against newly created posts in the Police Deptt; wherein the posts in a Distt: was to be dealt as, " The newly created posts of a Distt: should be filled up from the trained personnel of FRP according to seniority, educational qualifications and domicile. The vacancies resulting from transfer of FRP Personnel to Distt: Police should be filled up through fresh recruitment in FRP. & personnel selected for transfer to Distt: should be allocated to the Distt: of their domicile according to the number of vacancies available in each Distt. Copy of recruitment policy is attached as Annexure - E.

7- That to streamline the FRP further, a FRP Standing Order No.1 of 1994 was issued in the year 1994, wherein it was clarified that Police Act, 1861 & Police Rules, 1934 or any other Rules and Laws for the Police Officers will be applicable to FRP and the duties and responsibilities of the FRP will be the same as that of Regular Police. Similarly, FRP Standing Order No.2 of 1994 was issued on 31.07.1994, whereby enrolment in FRP was further streamlined and quota for the training in the Lower School, Intermediate and Upper College was to be fixed by the IGP keeping in view the strength and to cater the promotion of the illiterate staff or failed in promotion lists. a FRP Standing Order No.3 of 1994 was issued in August, 1994. The standing Order NO.3 is not related to the petitioners. Copies of the Standing Orders are attached as Annexure - F, G & H.

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Deputy Registrar

20 MAR 2023

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ATTORNEY

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8- That thereafter, on 19.06.1996, proper seats were allocated to the FRP Personnel for the first time for the Lower, Intermediate and Upper Courses and all the petitioners on their due turn qualified the said courses and none of them sent to the training by passing any senior eligible colleague. Copy of the seat allocation is attached as Annexure - I.

9- That in the year, 2007 a dispute was arisen whereby the FRP was again declared as Transit Force and that no Constable and Head Constable can be admitted to D List. The petitioner No.1 and some of his other FRP's colleagues, challenged that order in the Peshawar High Court in *W.P. No. 1615/2007, 1616/2007 & 1617/2007*. The writ petitions were finally heard on 20.03.2008 and the august Court was kind enough to hold that the FRP is not a transit force and the petitioners could not be made junior to the juniors by washing away their more than 15 years service in FRP and the case was remitted back to the Police Deptt. to reconsider the matter so that no one be discriminated and deprived from legal rights. Copies of the order dated, 16.02.2007 and judgment of the Court are attached as Annexure - J & K.

10- That, after the judgment of the august Court dated, 20.03.2008, the matter of the FRP personnel was placed before the Committee on 14.05.2008 and the issue was further entrusted to another Committee comprised of DIG Investigation, AIG Legal, and Registrar CPO. The said constituted committee considered the issue and submitted its recommendations to the DSC which was convened on 07.05.2009 and recommendations of the committee were approved. The committee recommended as, "The earlier decision dated, 16.02.2007 should not be applied, retrospective and all officials of the FRP be given permanent status and may be confirmed in their rank with their colleagues after completing their probation period as per PR 13-18. The Benefits received by the officials in the FRP till the decision of DPC and their repatriation to the Distt. of their domicile be kept intact so that they should not be deprived of any right as per decision of the Court. Literate officials may be treated as per Police Rules, 1934 and their seniority be fixed in each list on the basis of course undergone and criteria fixed under Police Rules Chapter-13." Copies of the minutes of the DSC are attached as Annexure - L & M.

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Deputy Registrar
20 MAR 2023

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[Signature]

11- That after the above decision of DSC, the issue was settled once for all and the FRP officials (amongst petitioners) upon repatriation to their Distt. of Domicile, were placed in List D & E with their Colleagues of training session in bottom in seniority. While some officials (amongst petitioners) were remained posted in FRP and were placed in List A, B, C, D or E according to seniority. The after, the petitioners did their other courses on their turn with their colleagues and got further promotions up to the rank of Inspector & DSP on CPO level. It is once again reiterated that none of the petitioners were either out of turn promotee, or cadet or promoted on gallantry services basis in the FRP.

12- That now the respondents have issued circulars for reverting the rightful officials under the garb of Apex Court's judgment and to give undue benefits to their blue eyed persons, against which the petitioners have no other remedy but to come to this august Court under Article 199 of the Constitution for issuing Writ of Mandamus and Prohibition against the respondents on the following grounds amongst the others.

GROUNDS:

- A- That the actions and conduct of the respondents is totally against the principle of justice, and amounts to colorful exercise of their official collar under the garb of the judgment of the Apex Court which is not applicable to the petitioners' case at all.
- B- That the actions of the respondents qua the petitioners is based on malafide and to create more and more vacancies for their blue eyed persons under the garb of out of turn promotions etc, which conditions are not applicable to the petitioners.
- C- That it is the cardinal principle of justice that no one could be asked to wait till he is illegally hanged, therefore, the Writ of Prohibition and Mandamus is fully attractive in the instant case and this august Court only has such power to issue requested writs. (2006 SCMR-1630, and 2015 PLC (CS) 08.)
- D- That this august Court also has the ample powers to interpret the issue as to whether the judgment of the Apex Court is applicable to the petitioners' case or other-wise. If the august Court's answer is

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Deputy Registrar

20 MAR 2023

ATTESTED

ADVOCA

"no" then writ of prohibition & Mandamus can be issued against the respondents.

E- That all the petitioners were placed in Distt. and reparation to their Distt. and placed with their colleagues who have passed training courses along with them as per decision of DSC made on the basis of Judgment of this august Court in the year 2007. Thus in FRP there was no case of out of turn promotion or Cadetship or gallantry service and due to that very reason the judgment of the Apex Court is not applicable to petitioners.

F- That even the ATG Legal vide his memo dated 08/02/2021 that FRP officials qualified their promotion courses on their turn and have been promoted from one rank to another as per Police Rules, 1934 and subsequently placed at the bottom of the seniority list of the their Distt. Thus they do not come under the ambit of Out of Turn Promotion. But despite that the respondents are maneuvering to revert the petitioners under the garb of Apex Court's judgment with malafide to create more and more vacancies for their blue eyed persons. Copy of ATG Legal is attached as Annexure - N

G- That the acts of the respondents are in violation of principle of justice, fair play and spirit of Article-2A, 4, 9, 10-A, 25 and 38 of the Constitution.

H- That the petitioners seek permission to advance other grounds and proofs at the time of hearing.

It is therefore most humbly prayed that on acceptance of the instant writ petition the august Court may be pleased to

1) Writ of Prohibition - Restrain the respondents from reverting the petitioners under the garb of Apex Court's Judgment passed in respect of out of turn promotes which is not applicable to the case of petitioners as there was neither out of turn promotion, cadetship or gallantry service in FRP and all the petitioners have got their promotion after

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20-MAR-2023

completing courses on their turn as per seniority.

II)- Writ of Mandamus:

Direct the respondents to check history and details of FRP Officials in light of appended record with this writ petition and not to pass any order of reversion in hurry by damaging the service career of the petitioner on the basis of mala fide and for just creating more and more vacancies for their blue eyed persons.

III)- Declare:

The memo dated 11.03.2023 and 12.03.2023 are not meant and applicable to the petitioners as per available record and history of the case.

IV)-

Any other remedy deemed appropriate that may also be awarded in favour of petitioner.

INTERIM RELIEF:

Keeping in view the facts and circumstances of the case mentioned above in writ petition, the respondents may very graciously be restrained from passing any adverse order detrimental to their service career of the petitioners till the disposal of main writ petition.

PETITIONERS

TAYYAB JAN ETC

THROUGH

M. ASIF YOUSAFZAI
ASC

FILED TODAY

Deputy Registrar

20 MAR 2023

S. NAUMAN ALI BUKHARI
ADVOCATE

ATTACHED
ADVOCATE

VERIFICATION:


It is verified that no other Writ Petition earlier has been filed between the present parties, except the present one against the present issue and as mentioned above in W.P.


DEPONENT

LIST OF BOOKS:

1. Constitution of the Islamic Republic of Pakistan, 1973
2. Police Rules-1934
3. Any other case law as per need.

NOTE: Prior Notice along with the copies of the Writ Petition has already been given to the respondents as per amended High Court's Rules dated: 23.02.2016.


(M. ASIF YOUSAFZAI)
ADVOCATE SUPREME COURT
OF PAKISTAN.

FILED TODAY

Deputy Registrar
20 MAR 2023

~~ATTESTED~~
~~ADVOCATE~~

BEFORE THE PESHAWAR HIGH COURT PESHAWAR

WP NO. 1124/2023

Tayyab Jan & Other

VS

Govt of KP etc

AFFIDAVIT

I, Tayyab Jan S/O. Nazar Muhammad, DSE/SP/Finance HQ, Peshawar (Petitioner-1) do hereby affirm on Oath that the contents of this writ petition are true and correct and nothing has been concealed.



DEPONENT

Tayyab Jan

ICNIC# 9462081

0314-57191915

IDENTIFIED BY

M. ASIE YOUSAFZAI
ASC

FILED TODAY

Deputy Registrar

20 MAR 2023

Certified that the above was verified on solemn affirmation before me in office this 20 day of March 2023 by Tayyab Jan s/o. Nazar Muhammad who was identified by M. Asie Yousafzai who is personally known to me.
Oath Commissioner
Peshawar High Court Peshawar

74
Annexure
"M"



OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
Central Police Office, Peshawar.

No. 991 / Legal

dated the 11 / 03 / 2023

To: All Regional Police Officers/ CCPO, Peshawar.
Khyber Pakhtunkhwa.

All Head of Units/ DIG Operations
Khyber Pakhtunkhwa.

Subject: PERSONAL HEARING OF POLICE OFFICIALS/ OFFICERS FALLING UNDER THE
AMBIT OF OUT OF TURN PROMOTIONS

Memo.

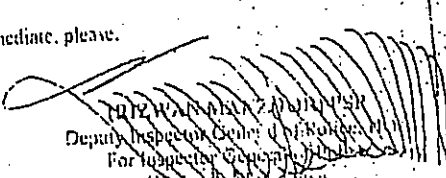
Giving personal hearing to address the grievances of Police officials/ officers is part and parcel of Police Department for their redressal, in a fair and transparent manner.

2. Keeping in view the above, it is being requested to give personal hearing to all those Police officials/ officers who availed out of turn promotions in their respective regions positively for tomorrow i.e. on 12th March, 2023. In this regard Police officials/ officers who availed out of turn promotion and are borne at lists A, B & C will be heard by respective District Police Officers where as officers enlisted by lists 'D' & 'E' will be heard by concerned Regional Police Officers. Rest of officers on list 'F' and above will be heard at CPO who shall be informed by the concerned RPOs/ DPOs offices. Therefore, necessary arrangements may be made for tomorrow on 12th March, 2023 regarding compliance on urgent basis.

3. Furthermore, all officers borne on 'F' list and other officers from the rank of Inspector and above will be heard by Deputy Inspector General of Police, Operations, Khyber Pakhtunkhwa who will be assisted by DSP/ Legal, CPO, Peshawar.

4. All officers being heard shall be bound to sign the attendance sheets and proceedings of such hearings should be shared with office of MIG/ Legal, CPO Peshawar by 13th March, 2023.

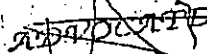
The matter should be treated as Most Immediate, please.


Deputy Inspector General of Police, Operations,
For Inspector General of Police,
Khyber Pakhtunkhwa,
Peshawar.

C.I

- Additional Inspector General of Police, HQs: Khyber Pakhtunkhwa, Peshawar.
- PSO in W/ Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.
- DSP/ Operations, CPO, Peshawar with direction to circulate to all concerned.
- DSP/ Legal, CPO, Peshawar.

ATTACHED



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of

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OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
CENTRAL POLICE OFFICE, PESHAWAR



dated the 11/03/2023

No.991/Legal

To,

- All Regional Police Officers/CCPO, Peshawar
Khyber Pakhtunkhwa
- All Head of Units/DIG Operations
Khyber Pakhtunkhwa

Subject:- PERSONAL HEARING OF POLICE OFFICIALS/OFFICERS
FALLING UNDER THE AMBIT OF OUT OF TURN
PROMOTIONS.

Memo:

Giving personal hearing to address the grievances of Police Officials/Officers is part and parcel of Police Department for their redressal, in most impartial and transparent manner:

2. Keeping in view the above, it is being requested to give personal hearing to all those Police Officials/Officers who availed out of turn promotions in their respective regions positively for tomorrow i.e on 12th March, 2023. In this regard Police Officials/Officers who availed out of turn promotions and are borne at lists A, B & C will be heard by respective District Police Officers whereas officers enlisted to lists 'D' & 'E' will be heard by concerned Regional Police Officers. Rest of officers on list 'F' and above will be heard at CPO who shall be informed by the concerned RPOs/DPOs offices. Therefore, necessary arrangements may be made for tomorrow on 12th March, 2023 regarding compliance on urgent basis.

3. Furthermore, all officers borne on 'F' list and other officers from the rank of Inspector and above will be heard by Deputy Inspector General of Police, Operations, Khyber Pakhtunkhwa who will be assisted by DSP/Legal, CPO, Peshawar.

4. All Officers being heard shall be bound to sign the attendance sheets and proceedings of such hearing should be shared with office of AIG/Legal CO Peshawar by 13th March, 2023

The mater should be treated as Most Immediate, Please.

(RIZWAN MANZOOR) PSP
Deputy Inspector General of Police, HQrs
For Inspector General of Police
Khyber Pakhtunkhwa,
Peshawar

CC

- Additional Inspector General of Police, HQrs, Khyber Pakhtunkhwa, Peshawar
- PSO to W/Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.
- DSP/Operations, CPO, Peshawar with direction to circulate to all concerned.
- DSP/Legal, CPO, Peshawar.

ATTESTED
ADVOCATE

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OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
Central Police Office, Peshawar

To: The Chief of Police, Khyber Pakhtunkhwa
All Regional Police Officers, Khyber Pakhtunkhwa
The CPO Peshawar
All District Police Officers, Khyber Pakhtunkhwa

ORDERS REGARDING WITHDRAWAL OF OUT OF TURN PROMOTIONS

In compliance with Order Sheet No. 1044/16 Supreme Court of Pakistan dated 14/03/2023 on Sui Almoat contempt proceedings No. C.P.C. (Peshawar) 48/2021, dated 14/03/2023, the following order is issued: **Subject: Collection of date of police officers falling under the definition of Out of Turn Promotions bearing No. C.P.O. (P) 75 dated 14/02/2023** was issued to all Out of Turn Heads (OTU) of C.P.O. Peshawar to report Out of Turn Promotions cases from their respective Regions and

Divisions. Keeping in view the above, CPO issued a letter bearing No. 300/16 of dated 14/03/2023 under **Subject: Personal Hearing of Police Officers falling within the ambit of Out of Turn Promotions** in which it was requested to give personal hearings to all those Out of Turn Police Officers who are held Out of Turn Promotions in their respective Regions, provinces and Divisions. In this regard, Police Officers, Officers who are held Out of Turn Promotions in the Province of FATA were heard by respective District Police Officers, whereas officers from the Province of Khyber were heard by Regional Police Officers and Out of Turn Heads of Police Officers and cases were heard at CPO Peshawar.

Orders concerning withdrawal of Out of Turn Promotions Cases, against officers of ranks from Posts A, B and C, are to be issued by respective District Police Officers or Regional Superintendents of Police in FATA. Besides, Police Officers who are held Out of Turn Promotions and are from Posts D & E, their withdrawal Cases are to be issued by respective Regional Police Officers and Out of Turn Heads. Orders relating to withdrawal of Out of Turn Promotions held at Police Officers, Officers who are from rank of J or above will be issued by CPO Peshawar.

In view of the above, Absorption Orders issued by CPO Peshawar for officers who are from ranks of Telecommunications and Transport HQ from other District Units will also be issued by CPO Peshawar.

All Regional Police Officers, Units Head and District Police Officers are being requested to issue such Orders in compliance with Order Sheet No. 1044/16 Supreme Court of Pakistan dated 14/03/2023 so that the compliance is in line with Order Sheet No. 1044/16 Supreme Court of Pakistan dated 14/03/2023 on Sui Almoat contempt proceedings filed

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ADVOCATE

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OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
CENTRAL POLICE OFFICE, PESHAWAR

dated the 10/03/2023

No.993/Legal

To,

1. All Units Head of Police in Khyber Pakhtunkhwa.
2. All Regional Police Officers in Khyber Pakhtunkhwa.
3. The CCPO Peshawar.
4. All District Police Officers in Khyber Pakhtunkhwa

Subject:- ORDERS REGARDING WITHDRAWAL OF OUT OF TURN PROMOTIONS.

In compliance with Order Sheet of Hon'ble Supreme Court of Pakistan dated:26.01.2023 in Suo Moto Contempt proceedings vide Crl.O Petition No.38/2021, letter from CPO Peshawar under Subject, Collection of date of police officers falling under the definition of out of Turn Promotion bearing No.CPO/CPB/75 dated:14.02.2023 was issued to all Units Heads, RPOs and CCPO Peshawar to report of Turn Promotions cases from their respective Regions and Units.

2. Besides, Keeping in view the above, CPO issued a letter bearing No.991/Legal dated:11.03.2023 and Subject, Personal Hearing of Police Officials/Officers falling within the ambit of Out of Turn Promotion in which it was requested to give personal hearing to all those Police Officials/Officers who availed out of Turn Promotions in their respective Regions positively on 12th March, 2023. In this regard, Police Officials/Officers who availed Out of Turn Promotions and are borne at lists A,B & C were heard by respective District Police Officers whereas officers enlisted to lists 'D' & 'E' were heard by concerned Regional Police Officers and Unit Heads. Rest of officers on list 'F' and above were heard at CPO, Peshawar

3. Orders concerning withdrawal of Out of Turn Promotions/Cases, against officials who are borne on Lists A,B and C are to be issued by respective District Police Officers or concerned Superintendents of Police of Units. Besides, Police Officers who got Out of Turn Promotions and are borne on lists D & E, their withdrawal Orders are to be issued by respective Regional Police Officers and Unit Heads. Moreover, Orders relating withdrawal of Out of Turn Promotions against Police Officials/Officers who are borne in list F or above will be issued by CPO, Peshawar.

4. Likewise, Absorption Orders issued by CPO, Peshawar for officials who got absorbed in Telecommunications and Transport HQ from other District/Units will also be issued by CPO, Peshawar.

5. All Regional Police Officers, Units Head and District Police Officers are being requested issue such Orders by 13.03.2023 so that the compliance report with Order Sheet of Hon'ble Supreme Court of Pakistan dated:26.01.2023 in Suo Moto Contempt proceedings vide

ATTESTED
[Signature]

83
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PHOTO-2023-03-12-21-26-43.jpg

12/03/2023 21:21

The matter may be treated as immediate basis mail copy of the letter
is sent with P.O. Peshawar by morning 11.03.2023

2023-03-12 21:26:43
Deputy Inspector General of Police
for Inspection (General) Peshawar
Khyber Pakhtunkhwa
Peshawar

- 1. Additional Inspector General of Police, HQs, Khyber Pakhtunkhwa, Peshawar
- 2. Additional Inspector General of Police, Operations, Khyber Pakhtunkhwa, Peshawar
- 3. Mr. Legal CPIO Peshawar
- 4. P.S.O. Inspector General of Police, Khyber Pakhtunkhwa, Peshawar
- 5. Register CPIO Peshawar

~~ATTESTED
ADVOCATE~~

84



Legible Copy

Cri.O Petition No.38/2021 could be submitted to the Hon'ble Supreme Court of Pakistan on ___03.2023.

6: The matter may be treated on immediate basis and copy of the orders so issued must be shared with CPO Peshawar by tomorrow 13.03.2023.

(RIZWAN MANZOOR) PSP
Deputy Inspector General of Police, HQrs
For Inspector General of Police
Khyber Pakhtunkhwa,
Peshawar

CC

1. Additional Inspector General of Police, HQrs, Khyber Pakhtunkhwa, Peshawar
2. Additional Inspector General of Police, Operations, Khyber Pakhtunkhwa, Peshawar
3. AIG Legal CPO, Peshawar
4. PSO to Inspector General of Police, Khyber Pakhtunkhwa, Peshawar
5. Registrar CPO Peshawar

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85

Annexure
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OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
Central Police Office, Peshawar.

No. 993 Legal dated the 13/03/2023

- To: 1. All Unit Heads of Police in Khyber Pakhtunkhwa.
- 2. All Regional Police Officers in Khyber Pakhtunkhwa.
- 3. The CPO Peshawar
- 4. All District Police Officers in Khyber Pakhtunkhwa.

Subject: ORDERS REGARDING WITHDRAWAL OF OUT OF TURN PROMOTIONS

In compliance with Order Sheet of Hon'ble Supreme Court of Pakistan dated 26.01.2023 in suo moto Contempt proceedings vide C.R.O. Petition No. 18/2021, Letter from CPO Peshawar under Subject: *Collection of data of police officers falling under the definition of Out of Turn Promotions* bearing No. CPO/CPH/75 dated 14.02.2023 was issued to all Unit Heads, RPOs and CPO Peshawar to report Out of Turn Promotions cases from their respective Regions and Units.

Besides, Keeping in view the above, CPO issued a letter bearing No. 991/Legal dated 11.03.2023 under Subject: *Personal Hearing of Police Officers/Officers falling within the ambit of Out of Turn Promotions* in which it was requested to give personal hearing to all those Police officials/officers who availed Out of Turn Promotions in their respective Regions positively on 14th March, 2023. In this regard, Police Officials/Officers who availed Out of Turn Promotions and are borne at lists A, B & C were heard by respective District Police Officers whereas officers enlisted to lists 'D' & 'E' were heard by concerned Regional Police Officers and Unit Heads. Rest of officers on list 'F' and above were heard at CPO, Peshawar.

Orders concerning withdrawal of Out of Turn Promotions Cases, against officials who are borne on Lists A, B and C are to be issued by respective District Police Officers or concerned Superintendents of Police of Units. Besides, Police Officers who got Out of Turn Promotions and are borne on lists D & E, their withdrawal Orders are to be issued by respective Regional Police Officers and Unit Heads. Moreover, Orders relating withdrawal of Out of Turn Promotions against Police Officials/Officers who are borne in list F or above will be issued by CPO, Peshawar.

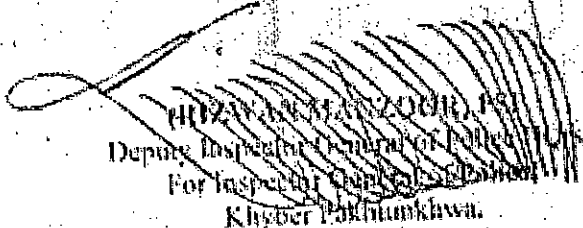
Likewise, Absorption Orders issued by CPO, Peshawar for officials who got absorbed in Telecommunications and Transport HQ from other Districts/Units will also be issued by CPO, Peshawar.

All Regional Police Officers, Unit Heads and District Police Officers are being requested to issue such Orders by 13.03.2023 so that the compliance report with Order Sheet of Hon'ble Supreme Court of Pakistan dated 26.01.2023 in suo moto Contempt proceedings vide

86

Writ Petition No. 48/2021 could be submitted to the Hon'ble Supreme Court of Pakistan on

The matter may be treated on immediate basis and copy of the Orders so issued must be shared with CPO Peshawar by *tomorrow 13.03.2023*


Deputy Inspector General of Police
For Inspector General of Police
Khyber Pakhtunkhwa,
Peshawar

1. Additional Inspector General of Police, HQrs. Khyber Pakhtunkhwa, Peshawar.
2. Additional Inspector General of Police, Operations, Khyber Pakhtunkhwa, Peshawar.
3. AIG Legal CPO, Peshawar.
4. PSO to Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.
5. Registrar CPO Peshawar.

OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
Central Police Office, Peshawar.

No 1045

Legal

dated the

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Annexure
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ORDER

In compliance with Order Sheet of Hon'ble Supreme Court of Pakistan dated 26.01.2023 in Sum Moto Contempt proceedings vide Cr.O. Petition No. 18/2021 and in pursuance of judgments passed by Hon'ble Supreme Court of Pakistan in 2013 SCMR 1752, Civil Review Petition No. 193/2003 reported in 2015 SCMR 456, 2016 SCMR 1254, 2017 SCMR 206, 2018 SCMR 1218 and consolidated Judgment dated 30.06.2020 in Civil Petitions No. 1996, 2026, 2431, 2437 to 2450, 2501 and 2502 of 2019 on issues of Out of Turn Promotions, all Unit Heads, Regional Police Officers and District Police Officers of Khyber Pakhtunkhwa Police were directed vide this office Letter No. CPO/CPB/75, dated 14.02.2023, to ensure compliance of above mentioned Orders in letter and spirit. Accordingly, all Out of Turn Promotions granted to Police personnel either on gallantry or otherwise belonging to different Units, Regions & Districts have been withdrawn by the concerned authorities and consequently their seniority has been re-fixed along with their Batch mates among immediate seniors and juniors who were promoted during their intervening period by maintaining original inter-se-seniority.

2. In view of the above, case regarding Out of Turn Promotion of Mr. Liaqat Khan Inspector, was examined. As per details provided by office of RPO, Hazara Region vide Letter bearing No.5491/E, dated 12.03.2023 on subject "collection of data of police officers falling under the definition of out of turn promotion", he gained benefit of out of turn promotion from HC to Officiating ASI in FRP and by means of DIO Hazara Order No.800-09/E, dated 16-01-2010, he was given back dated seniority. At present, he stands at Sr. No. 06 in the Seniority list of Inspectors issued vide CPO No.431/E-II/CPO/Seniority, dated 06-12-2022. Withdrawal of this out of turn promotion order shall bring his name above the name of Inspector Abdul Rauf No.11/108 present at serial No.438 in the seniority list of Inspectors issued vide CPO No.431/E-II/CPO/Seniority dated 06-12-2022.

3. In this regard, Para 122 of Judgment of Hon'ble Supreme Court of Pakistan 2015 SCMR 456 is reproduced as under:

122. The issue of out of turn promotions has been dealt with by us in detail in the judgment sought to be reviewed and we reached the conclusion that it was violative of Articles 240, 242, 4, 8, 9 and 25 of the Constitution. Mr. Adnan Iqbal Chaudhry, learned Advocate Supreme Court has contended that section 9-A of the Act has not been struck down by this Court, while declaring the out of turn promotions as unconstitutional. We are mindful of this fact as we have held that the Competent Authority can grant awards or rewards to the Police Officers, if they show act of gallantry beyond the call of duty. However, we had struck down the very concept of 'out of turn promotion' being violative of Constitution for the reasons incorporated in paras 158 to 164 of the judgment under review.

4. As per Para No. 73 of Judgment of Hon'ble Supreme Court of Pakistan 2018 SCMR 1218 (Intra Court Appeals No.4 of 2017 etc) when any legislative instrument is declared unconstitutional, it is declared void ab initio. The Para No. 73 is being reproduced as under:

73. The contention of Khawaja Haris Ahmad, learned Sr.ASC that in Para No. 123 of Shahid Pervaiz's case (supra) this Court had wrongly observed that "we have already declared void ab initio the legislative instruments that provided for out of turn promotions," because nowhere in the earlier judgment was such a declaration made, is also without force. Suffice it to say that in Para 104 of Shahid Pervaiz' Case (Supra), it was observed that: "104. Through the successions of its orders, this Court has consistently maintained the unconstitutionality, and the consequential nullity of the instruments providing for the out of turn promotion." Moreover, in Para 129 of the judgment of Ali Azhar Khan Baloch's case (supra), this Court was pleased to observe that when any legislative instrument is declared unconstitutional, the effect of such declaration is that such legislative instrument becomes void ab initio. The relevant part of Para 129 is being reproduced hereunder. "129. Now, it is a settled law of this Court that no right or obligation can accrue under an unconstitutional law. Once this Court has declared a legislative instrument as being unconstitutional, the effect of such declaration is that such legislative instrument becomes

void ab initio, devoid of any force of law, neither can it impose any obligation, nor can it expose anyone to any liability."

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4. Similarly, Hon'ble Supreme Court of Pakistan Judgment reported as 2017 SCMR 456 vide Para No. 98 declared Out of Turn Promotions as null and void in the following terms which is reproduced as under:

98. In a series of judgments, this Court has declared out-of-turn promotions as being unconstitutional, un-Islamic, and void ab initio. The principle of unconstitutionality attached to the instrument providing for out of turn promotion was laid down first in the case of Muhammad Nadeem Arif vs. I.G of Police (2011 SCMR 408). The view taken in this judgment was followed in another case reported as Ghulam Shabbir vs. Muhammad Munir Abbasi (PLD 2011 SC 516), wherein it was held that out of turn promotion was not only against the Constitution, but also against the injunctions of Islam; and that reward or award should be encouraged for meritorious public service but should not be made basis for out of turn promotion.

5. Similarly, Hon'ble Supreme Court of Pakistan Judgment reported as 2017 SCMR 456 vide Para No. 98 declared Out of Turn Promotions as null and void in the following terms which is reproduced as under:

98. In a series of judgments, this Court has declared out-of-turn promotions as being unconstitutional, un-Islamic, and void ab initio. The principle of unconstitutionality attached to the instrument providing for out of turn promotion was laid down first in the case of Muhammad Nadeem Arif vs. I.G of Police (2011 SCMR 408). The view taken in this judgment was followed in another case reported as Ghulam Shabbir vs. Muhammad Munir Abbasi (PLD 2011 SC 516); wherein it was held that out of turn promotion was not only against the Constitution, but also against the injunctions of Islam; and that reward or award should be encouraged for meritorious public service but should not be made basis for out of turn promotion.

5. Mr. Liaqat Khan Inspector was given chance of personal hearing on 12.03.2023. He was given patient hearing during which he extended his point of view that his promotion does not come within the ambit of out of turn case. However, perusal of his record reveals that as mentioned in Para No. 2 of this order he gained benefit of out of turn promotion from HC to Officiating ASI in ERP and by means of DIG Hazara Order No.800-09/E, dated 16-01-2010, he was given back dated seniority. At present, he stands at Sr. No. 06 in the Seniority list of Inspectors issued vide CPO No.431/E-II/CPO/Seniority, dated 06-12-2022. Withdrawal of this out-of-turn promotion order shall bring his name above the name of Inspector Abdul Rauf No.11/108 present at serial No.438 in the seniority list of Inspectors issued vide CPO No.431/E-II/CPO/Seniority dated 06-12-2022.

7. Consequently, his Out of Turn Promotion order No. 800-09/ E, dated 16.01.2010, is withdrawn through this Order and after withdrawal of his Out of Turn Promotion, his name is placed above the name of Inspector Abdul Rauf No. 11/108 present at serial No.438 in the seniority list of Inspectors issued vide CPO No.431/E-II/CPO/Seniority dated 06-12-2022.

-Sd-

Akhtar Hayat Khan, PSP
PROVINCIAL POLICE OFFICER,
KHYBER PAKHTUNKHWA.

C.C

1. Chief Secretary, Government of Khyber Pakhtunkhwa, Peshawar.
2. Accountant General, Khyber Pakhtunkhwa, Peshawar.
3. Secretary, Home & TAs Department, Government of Khyber Pakhtunkhwa, Peshawar.
4. Additional Inspector General of Police, HQs: Khyber Pakhtunkhwa, Peshawar.
5. Additional Inspector General of Police, Operations Khyber Pakhtunkhwa, Peshawar.
6. All Regional Heads, Khyber Pakhtunkhwa, Peshawar.
7. All Heads of Police Units, Khyber Pakhtunkhwa.
8. PSO to W/ Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.
9. AIG/ Legal, CPO, Peshawar.
10. Registrar, CPO, Peshawar.

(RIZWAN MANZOUR) PSP
Deputy Inspector General of Police,
For Inspector General of Police,

89
Annexure
P

JUDGMENT SHEET
PESHAWAR HIGH COURT, PESHAWAR
JUDICIAL DEPARTMENT

W.P No.1289-P/2023

Tayyab Jan and others

Vs.

Government of Khyber Pakhtunkhwa through Chief
Secretary, Civil Secretariat, Peshawar and others

Date of hearing 21.06.2023 and 22.06.2023.
Petitioner(s) by: Mr. Shumail Ahmad Butt, Advocate.
Respondent(s) by: Mr. Amir Javed, Advocate General and Mr.
Hasnain Tariq, AAG along with Mr. Rizwan
Manzoor, DIG(HQrs), Khyber Pakhtunkhwa
Police, CPO. Muhammad Asif, AIG(Legal),
CPO. Muhammad Tariq Usman, Inspector
(Legal), CPO.

JUDGMENT

IJAZ ANWAR, J. This writ petition has been filed under
Article 199 of the Constitution of Islamic Republic of
Pakistan, 1973, with the following prayer: -

*"It is, therefore, very humbly prayed that on
acceptance of this writ petition, this Hon'ble
Court may very magnanimously hold,
declare and order:-*

- i. That letter dated 11.03.2023,
12.03.2023 and office orders of
demotion dated 16.03.2023 and any
subsequent proceedings or orders
emanating/arising therefrom are
illegal, unlawful, without lawful
authority and thus of no legal effect
- ii. The respondents be permanently
restrained from reversing the
petitioners under the garb of Apex
Court judgment passed in respect of
out of turn promotes, which is not
applicable to the case of petitioners as
there was neither out of turn
promotion cadetship or gallantry
service in FRP and all the petitioners
have gone their promotion after.

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*completing courses on their turn as per seniority.
Any other relief in favour of the petitioner deemed just and appropriate".*

2. In the instant case petitioners were initially appointed in the FRP as Constables and then gained promotion in the regular police as well as in the FRP after undergoing the requisite police training in the quota reserved for FRP. The question formulated for consideration of this Court primarily relates to the terms and conditions of service, because apparently, this case is distinguishable from other connected cases as in the instant case promotion order of the petitioners are withdrawn for the reason as it is out of turn and violative of the judgment of the Apex Court, however, on going through the same we find that no such issue ever raised in the judgments of the Apex Court referred in respect of out of turn promotions and in these cases neither the application/implementation of the judgment of the Apex Court is required, besides, such matters were also never referred in the judgment of a larger bench of this Court.

3. In the given circumstances, the matter primarily relates to the terms and conditions of the service, as such,

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we transmit the same to the Provincial Service Tribunal,
Peshawar for its decision strictly in accordance with law.
Copy of the memo of this petition be retained for the
purpose of record.

Announced
Dt: 27-8-23.


JUDGE


JUDGE

(Amir Shehzad) *

(DB) Hon'ble Mr. Justice Ijaz Anwar and Hon'ble Mr. Justice S.M. Anique Shah.

better copy

OFFICE OF THE COMMANDANT
FRONTIER RESERVE POLICE
KHYBER PAKHTUNKHWA PESHAWAR
PH: NO.091-9214114, FAX NO.9212602

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Annexure
- Q -

No. _____ /EC dated 23/02/2022

To: The Inspector General of Police,
Khyber Pakhtunkhwa, Central Police Office,
Peshawar.

Subject: IMPLEMENTATION OF THE JUDGMENT OF APEX COURT OF PAKISTAN

Respected Sir,

In continuation to this office memo: No.11585/EC dated 30-12-2021. It is submitted for kind information that the CPO has directed vide memo: No.CPO/CPB/449 dated 29-11-2021 & memo: No.CPO/CPB/456 dated 03-12-2021 for submission of consolidated report for implementation of the judgment of Apex Court of Pakistan pertains to out of turn promotions in the light of directives of CPO a committee comprising of the following officers was constituted by the Competent Authority, with the directions to scrutinize all kind of promotions granted to the personnel of FRP Unit and submit their report/recommendation for onward submission to CPO Peshawar:-

- | | |
|------------------------------|----------|
| 1. DSP/HQrs FRP Peshawar | Chairman |
| 2. Office Superintendent FRP | Member |
| 3. Inspector Akhtar Ali Khan | Member |
| 4. Inspector Yahya Shah Khan | Member |

The committee after fulfillment the due codal formalities and deliberation submitted a detail report and recommendations produced as below:-

1. BRIEF HISTORY OF FRP UNIT:-

FAR (Frontier Armed Reserves) now FRP (Frontier Reserve Police) was established by the Federal Govt: vide letter No.DO No.1/4/85-DD(P) dated 29-10-1985 and No.SO (P-II) 5-18/86/2347 dated 16-01-1986 as a reserve force according to Notification No.SO (P-II) HD/8-10/146-149 dated 16-01-1988 the Govt: of NWFP (now Khyber Pakhtunkhwa) Home Deptt: had merged the following ten Police Unit/Branches in FRP on 16-01-1988 with the name of "Frontier Armed Reserve as Frontier Reserve Police"

1. Additional Police
2. Special Police Levy
3. PAF Contingent
4. Range Reserve Platoons
5. Provincial Armed Reserve Platoons
6. Frontier Armed Reserves
7. Campus Peace Corps, Peshawar University

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ADVOCATE

5. Mounted Police
10. Standing Guards and Police Escorts etc including those, which provides to private bodies / person

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DUTIES AND RESPONSIBILITIES

The duties and responsibilities of FRP were regulated from time to time through various Standing Orders issued by the Inspector General of Police, given the expanding role of policing, which included but not limited to the following,

CAREER PROGRESSION:-

Frontier Reserve Police was basically raised to assist the District Police to tackle the law and order complexities, Sectarians problems, labor, student's agitations, subversive and Sabotage activities, Communal and ethnic riots in the province. For this purpose the entire force was organized into Platoons comprising 01/04/40 and distributed throughout the province. Moreover, on recommendation of Special Committee, the Inspector General of Police NWFP (Now Khyber Pakhtunkhwa) has approved a General Policy for FRP Unit that newly created posts of Districts should be filled up from transfer of the trained personnel of FRP according to seniority/Education and domicile. The vacant posts of constables should be filled up through fresh recruitment in FRP vide IGP circular order No. 1715-22, dated 24.08.1993. In view of above and Nature of the duties assigned to the FRP those Officials, who are illiterate or have failed to qualify the promotion 1st were promoted to the rank of Head Constable/Section Commander and Sub Inspectors/Platoon Commanders on the basis of Section Commander/Platoon Commander courses. These Promotions were entirely made in accordance with the provision of Standing Order No. 03/1994, 03/1999 issued by the CPO Peshawar respectively after fulfilling the required criteria and codal formalities. However, the above promotions were subsequently withdrawn on 07.06.2003 by the then Commandant FRP. Feeling aggrieved the officials concerned was filed Service Appeal before the Khyber Pakhtunkhwa, Service Tribunal Peshawar against the said Order, which subsequently, decided in their favor vide Judgment dated 29.11.2005. The decision of Honorable Tribunal was consented to be implemented in compliance of CPO Memo No. 5600/E-1 dated 27.05.2005. Thereafter, Standing Order No. 01/2006 was issued by the CPO Peshawar for the promotion of literate and illiterate officials of FRP. The worthy IGP KP vide letter No. 327/3300/ dated 18.06.1996 had already sanctioned 2/2 seats of lower/intermediate courses for the literate official of all FRP KP, sanctioned strength. However, subsequently Standing Order No. 1/2006 was repealed through Standing Order No. 02/2014, which the promotion system of FRP Officials has been withdrawn.

According to standing order No. 2/2014 the lien of all literate officials' office's

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ADVOCATE

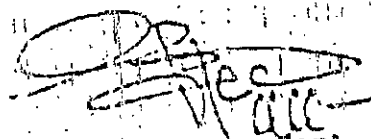
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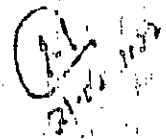
seniority and further promotion are maintaining in their respective district/regions of domicile by concerned DPOs and RPOs as well

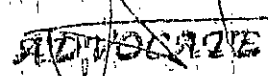
It is further submitted that the literate officials of FRP transferred to domicile region/District regular police by the competent authority on holding positions in the light of laid down rules and bottom seniority has been given in the respective region/district

The promotion granted to the FRP personnel are not fallen into the ambit of out of turn promotions as they were promoted in accordance to the prescribed manner and policy in vogue. It is pertinent to mention here that the officials who have qualified the requisite courses required for promotion were promoted alongwith their colleagues on their own turn and seniority come fitness. Furthermore, CPC Peshawar has already disclosed and opined vide letter No. 11529/Legal, dated 08 11 2021 to RPO Hazara that according to the judgment of Apex Court of Pakistan, if someone promoted on the basis of any kind of incentive i.e. Gallantry, Gratitude and special case by passing his batch-mates/colleagues, thus it is declared out of turn promotions.

Keeping in view all of above it is further submitted that there is no anyone has been promoted since 2014 in this establishment. Moreover the promotion so far granted to the officials concerned to FRP has not deprived/suffered someone from these promotions


Commandant
Frontier Reserve Police
Khyber Pakhtunkhwa, Peshawar



ATTESTED


Name of Province	
BC No.	
Name of Advocate	

S.No. 2547



Rs 250

وکالت نامہ

Ch. Anwarul Nassem
Finance Secretary
District Bar Association
Abbottabad

جناب جسٹس شرفی خواہ سردس ٹریبونل بہاول

بعدالت

بماقت مان

عنوان

اسبلڈنٹ

منجانب

نوعیت مقدمہ

سردس اپیل

باعث تحریر آنکہ

مقدمہ مندرجہ بالا عنوان میں اپنی طرف سے واسطے بیرونی وجوہات پر پیشی یا تفسیر مقدمہ بمقام بہاول کے لیے
جسٹس انور مان ایرڈولین سپریم کورٹ آف پاکستان

کو حسب ذیل شرائط پر وکیل مقرر کیا ہے کہ میں ہر پیشی پر خود یا بذریعہ مختار خاص رو برو عدالت حاضر ہوتا رہوں گا اور بروقت یکا سے
جانے مقدمہ وکیل صاحب موصوف کو اطلاع دے کر حاضر عدالت کروں گا۔ اگر پیشی پر مظہر حاضر نہ ہو اور مقدمہ میری غیر حاضری کی وجہ
سے کسی طور پر میرے خلاف ہو گیا تو صاحب موصوف اس کے کسی طور پر ذمہ دار نہ ہوں گے نیز وکیل صاحب موصوف صدر مقام پکھری کے
علاوہ کسی جگہ یا پکھری کے اوقات سے پہلے یا پیچھے یا برو تعطیل بیرونی کرنے کے ذمہ دار نہ ہوں گے اور مقدمہ پکھری کے علاوہ کسی اور جگہ
سماعت ہونے پر یا برو تعطیل یا پکھری کے اوقات کے آگے پیچھے پیش ہونے پر مظہر کو کوئی نقصان پہنچے تو اس سے ذمہ دار یا اس کے واسطے
کسی معاوضہ کے ادا کرنے یا بختانہ کے واپس کرنے کے بھی صاحب موصوف ذمہ دار نہ ہوں گے۔ مجھ کو کل ساخت پر داختم صاحب موصوف
مثلاً کروہ ذات منظور و مقبول ہوگا اور صاحب موصوف کو عرض دعویٰ یا جواب دعویٰ اور درخواست اجراء ڈگری و نظریاتی اپیل گمرانی و ہر قسم
درخواست پر دستخط و تصدیق کرنے کا بھی اختیار ہوگا اور کسی حکم یا ڈگری کرانے اور ہر قسم کاروبار وصول کرنے اور رسید دینے اور داخل کرنے
اور ہر قسم کے بیان دینے اور اس پر ثالثی و راضی نامہ و فیصلہ بر حلقہ کرنے اقبال دعویٰ دینے کا بھی اختیار ہوگا اور بصورت جانے یہ بیانات
از پکھری صدر اپیل و برآمدگی مقدمہ یا منسوخی ڈگری یا طرفہ درخواست حکم استغاثی یا ترقی یا گرفتاری قبل از گرفتاری و اجراء ڈگری بھی صاحب
موصوف کو بشرط ادا تکلیفی علیحدہ مختار بیرونی کا اختیار ہوگا۔ اور بصورت ضرورت صاحب موصوف کو یہ بھی اختیار ہوگا کہ مقدمہ کو ریاس کے
کسی جزو کی کاروائی کے یا بصورت اپیل کسی دوسرے وکیل کو اپنے بجائے یا اپنے ہمراہ مقرر کریں اور ایسے وکیل کو بھی ہر قسم
وی اور ایسے اختیارات حاصل ہوں گے جیسے صاحب موصوف کو حاصل ہیں اور دوران مقدمہ جو کچھ ہر جان التوا پڑے گا وہ صاحب موصوف
کا حق ہوگا۔ اگر وکیل صاحب موصوف کو پوری فیس تاریخ پیشی سے پہلے ادا نہ کروں گا تو صاحب موصوف کو پورا اختیار ہوگا کہ وہ مقدمہ
کی بیرونی نہ کریں اور ایسی صورت میں میرا کوئی مطالبہ کسی قسم کا صاحب موصوف کے برخلاف نہیں ہوگا۔

مورخ: 01 / نومبر / 2023
سال ماہ دن

لہذا وکالت نامہ لکھ دیا ہے کہ سندر ہے۔

(Signature)

نوٹ: وکالت نامہ کی فونو کاپی قابل قبول نہ ہوگی

بماقت مان لکھنؤ
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